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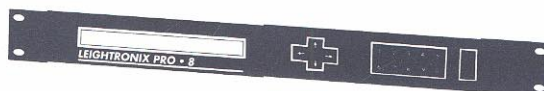
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A Noble Vision in the Realm of Attainable Reality

by **Bunnie Riedel**

*Executive Director, Alliance
for Community Media*

The theme of the 1998 National Conference in Portland, Oregon was "Community Media: From Vision to Action." It was my first Alliance conference and I was quite taken by the electricity of the energy, expertise and commitment of the conferees. There is no doubt that Alliance members are people of vision and they are more than willing to take action on that vision.

In workshop after workshop, I heard people discussing how they could better serve their communities. Whether it was providing public, education and government access or providing internet services or community radio, the central theme was building community.

It has become readily apparent to me as I direct the national office in D.C. that this community building cannot happen unless equitable franchise agreements are made and work is done to secure the terms of those franchise agreements. In the short time I have been the executive director of the Alliance, I have personally encountered some of the challenges faced by the community media movement. The following is a highlight of a few of my observations:

Equitable funding is an ongoing concern: Even in situations where the franchise agreements are fairly good, there is a struggle to make sure that community media receives its fair share. It is a great temptation to divert dollars away from access and into municipal general funds. There is no doubt that when municipalities are faced with budget shortfalls or unexpected expenses it may seem harmless to cut access budgets in order to provide other municipal services. But few of us expect that when we pay garbage collection fees that the money received by the municipality will be used for other purposes than the collection of our garbage. Or when we pay a park service fee, that the money will be used to increase salaries at city hall. We gladly pay the park fee in order to have good parks or we pay the garbage fee in order

For community media access centers to have to go to city hall each year and plead their case like poor step-children is ridiculous. Public, educational and government access is not some unfunded mandate and the franchise fees are not charity.

to make sure we are provided that service.

The franchise fees are not, nor should they ever be, just additional coffers for the general funds of municipal governments. They should primarily be for the purpose of providing equal types of services to the community – i.e., media. For community media access centers to have to go to city hall each year and plead their case like poor step-children is ridiculous. Public, educational and government access is not some unfunded mandate and the franchise fees are not charity.

Channel capacity is under siege: A commercial producer sat in my office, sneering at me as she loudly spewed, "your precious analogue channels!" This was in week three of my job and I didn't quite understand why she was so nasty. Now, only a few months later, it's really sinking in. Seems like everybody and their brother would just love to get their hands on access channel capacity. I have never witnessed so many foxes licking their chops outside the hen house in my life!

We've got commercial producers, cable operators, vendors and even other public service entities that would like nothing better than to destroy access so they engage in a bandwidth feeding frenzy. The fight to maintain channel capacity is not going to get easier, it is going to become more challenging as technologies converge and change. Franchise agreements have got to be hard and fast—and they need to be percentages rather than raw numbers. Additionally, we need to be firm. It is valid to draw a line in the sand and to say to adversaries and allies alike, "this far and no more."

There are misconceptions about who we are: I have laughed and cried and been inspired by the programming I've seen on public access. I have learned more about my local government

through government access and I learned something new because of educational access. When I show others clips of access programming, they are surprised – there is a widespread misconception about access and the potential of the entire community media movement.

These misconceptions affect franchise agreements and attitudes. In North Carolina, a cable operator has convinced a city council that broadcasting their meetings will cost over \$175,000! In Kentucky, a cable operator has controlled a city's only access channel for over eighteen years and has the community convinced that public access equals controversial programming! In Philadelphia, the city of the birth of the Constitution, activists have spent years trying to get public access! Even here in our nation's capital, I find I spend most of my time educating organizations and individuals about what media access is and why it's so important.

When I think of the various issues facing the community media movement, I am truly grateful for the work that has already been done in communities around this country. Full and comprehensive electronic access for all people is a noble vision which does not just exist in imagination, but in the realm of attainable reality. I am fully confident that the action part of our 1998 conference theme is also grounded in substance – mainly because I have witnessed your power with my own eyes.

This edition of CMR is to help you with your franchising issues. The expertise of the article authors far exceeds my own, but I hope you will call the national office when you need assistance (in any area). Together we will work to ensure proper access funding, maintain access channel capacity and change unfounded misconceptions, so that franchise agreements will work to the benefit of building community.

Alliance Calls on FCC to Implement Access on DBS

Saying "It's long overdue," Bunnie Riedel, executive director of the Alliance for Community Media, called on the FCC to implement provisions in the Cable Television Consumer Protection Act of 1992 regarding DBS obligations to serve the public interest, reflect localism and set aside channel capacity for "non-commercial programming of an educational or informational nature."

"The Direct Broadcast Satellite industry has enjoyed a honeymoon, and now that needs to end," said Riedel. "Congress intended for DBS to be treated the same as the cable television industry in regard to serving the public interest. It's time for DBS providers to give access to educational programming, arts and sciences programming and first-come first served programming."

In a letter sent to FCC commissioners on September 25, 1998, the Alliance offered recommendations for how DBS could honor its public interest obligations. The letter laid out a plan for an independent non-profit entity run by a nine-member board of directors representing a wide variety of interests, including three seats reserved for representatives of the DBS industry. It also described how programming could be chosen without the DBS industry being placed in the position of having editorial control. A separate programming advisory committee (made up of board members and others) was suggested which could "establish criteria it deems appropriate for non-discriminatory selection of programs," said the letter.

"There's a variety of ways to block program, series program and rotate programming, so that DBS access will be non-discriminatory and truly the vehicle for public service it was intended to be. PEG access has been doing this for years and we have many successful models," said Riedel. "PEG access creates over one million hours of locally originated program-

ming each year...there's more than enough public interest programming available for DBS providers."

Reaction to the proposal has been varied. The Alliance is currently working to follow-up the letter with visits to the FCC commissioners and Congress. The letter itself provided the detail for formal comments which had been filed with the FCC by the Alliance in 1997.

"Important in this discussion is channel capacity and funding. The law requires four to seven percent of the channel capacity. That's not a heck of a lot," said Riedel. "And, returning 5% of the gross revenue to the public is only fair. Federal law allows cable television franchise agreements to meet that amount."

Petition for Media Democracy

Democracy is the foundation of our society. To flourish, democracy depends on the ability of people to communicate ideas, share opinions and get information. Today, the primary means of information delivery and exchange is through electronic media.

Frequently there is a conflict of interest between the free flow of public and civic communication and the need of commercial media to create profit. People become disenfranchised in this conflict between commercial media and the public interest because of: race, age, gender, disability, sexual orientation, religion, political beliefs, native language or economic status. Ironically, these disenfranchised people are the least represented in commercial, for-profit media.

I believe that true democracy requires all people have access to electronic media. Media access includes:

- △ access to electronic communications training, equipment, facilities and delivery systems
- △ literacy in the use of electronic media
- △ making sure all people are enabled to engage in meaningful civic dialogue and enabled to access information
- △ the designation of public funds for the public use of equipped and operational non-commercial, community-media centers and facilities

True media democracy can be achieved when elected and appointed representatives support positive legislation and policies to guarantee that all people have access to electronic media. I urge you, as my representative, to support media democracy.

Name _____

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☐ I agree to allow my name to be used publicly

Please return this petition to the:

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Two New Publications Now Available from National Office

At the 1998 National Conference in Portland, Oregon, the Alliance premiered two new publications that are "must haves" for access professionals and activists:

▲ 1998 SURVEY OF CABLE TELEVISION FRANCHISE TERMS OR PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS

Is your franchise renewal coming up? Need comparative information to present to your franchise authority? Doing strategic planning? Curious about your community's PEG resources compared to others? Then...you need this survey comparing 121 existing franchises around the country! It

will assist you in answering those questions and many, many more.

▲ 1998 CABLE ACCESS START-UP MANUAL

Written by managers from 'start-up' community media organizations, this manual provides advice on structures for governing boards, operating policies, legal issues, public relations, equipment options and building for the future. Also, included is an extensive addenda with boiler plate forms, bylaws, operating rules and procedures, studio blueprints, etc.

Each publication is:
\$30 for Alliance Members
\$40 Non-members
(Please send check, money order, visa, or mastercard)

Our Communities: the Reason for Community Media

by Alan Bushong

Alliance Chairman and Executive Director, Capital Community Television

In 1992, the United Nations issued a report finding overpopulation, destruction of the environment, lack of respect for human rights and dignity and rampant, often unchecked spread of disease as the four most important issues facing us today.

I find amazing the disconnect between informed people in our local communities and the commercial media. Many people understand and accept the importance of these issues, though they have difficulty getting information from the media. The commercial media, with unlimited information at its hands, is practically silent.

The ability to get real issues in front of the community, to spark a dialogue, to engage people in working together, and to then turn this "can do" attitude into real results--this is what led many of us to community media. I think such work is the key to our future.

Let me state another bias up front: I agree with the UN report. The four issues cited are the most important of our time. An exploding population is already pressing the limits of the planet's resources. We are on target to add one billion people to the earth every 25 years. As environmentalist Helen Caldicott says, what happens if people in Third World countries decide they want as much stuff as we have in America?

We don't have to look to Rwanda or the former Yugoslavia for a lack of respect for human rights. We live in a country in which one-third of women are sexually assaulted, racism is rampant, those born in other countries serve as the scapegoats for unrelated employment woes, and gays and lesbians serve as scapegoats for nearly everything else. Drug companies stick with safe, highly profitable products. Diseases currently under control are becoming immune to the dwindling number of antibiotics used in treatment. Developing new medicines is considered bad for the bottom line.

Where are the commercial media? Where are the front page headlines on these problems?

The commercial media are busy making money. The four important issues are not good sellers. Monica Lewinsky is a good seller. Big storms are good sellers. Beating up on the IRS is a good seller. Anything about Bill Clinton is a really good seller. Selling things, anything, lots of anything, is the mission of commercial media.

The commercial media are also busy shaping our culture. We hear plenty about the global economy, but little about global warming. We hear about the Russian, Brazilian and Asian economies and about the International Monetary Fund. We don't hear about hard working Americans who are losing their jobs and having trouble making ends meet as corporations "cut costs". We can't escape the media mantra of reciting stock market averages and 25% plus annual gains that primarily benefit less than one in twenty Americans; we can't find news of the corresponding 4% growth in wages for nearly everyone else. We're carpet bombed with commercials selling stuff no one actually needs. At the same time, one-third of the earth's people are malnourished, and their misery is swept under the carpet.

To shift attention from tabloid to substance, we'll need an organized public and enlightened leaders. Unfortunately, attention has shifted away from campaign finance reform, a step which might bring us elected leaders more tuned into the real issues. While the corporate media seems stuck on Democratic fundraising tactics, why are we not hearing about the \$558 million raised by the Republican National Committee or the \$336 million raised by the Democratic National Committee in 1996? With money numbers this big, the average voter has little influence and can rightfully be concerned that candidates shape their politics for the purpose of fundraising.

The number one reason cited by members for leaving Congress is the time spent fundraising for elections. Most of

that money buys commercial media time. One member of Congress described her average day as two hours of congressional business and twelve hours of fundraising. How can our democracy improve when elected seats are so crassly placed up for sale?

The matter of unlimited campaign contributions may be revisited. In 1976, in *Buckley v. Vallejo*, the U.S. Supreme Court ruled in favor of unlimited campaign contribution by considering such contributions as First Amendment-protected free speech. I'll bet Thomas Jefferson had that in mind in 1791 when assembling the Bill of Rights! National Public Radio recently reported that three justices have expressed concern with the results — brazen high dollar donations. The justices suggest that conditions have changed enough since 1976 to warrant review. Hopefully, the commercial media will embrace this issue with in-depth coverage and analysis.

How refreshing to be in community

The ability to get real issues in front of the community, to spark a dialogue, to engage people in working together, and to then turn this "can do" attitude into real results — this is what led many of us to community media.

media and to be working with you in the Alliance! In three years as chair, I've seen us collectively advancing our noble cause against all odds. We've had memorable successes. In 1995-96 we won a Supreme Court case and overturned a federal statute for just the 79th time in American history. The same year we gained public interest language in the otherwise disappointing 1996 Federal

Communications Act. We

made gains at the FCC. We've blocked bad state legislation.

Each and every success was made possible by the day in, day out sweat equity of hundreds of local community media activists and those who preceded them and built the movement. Each community with community-based media has the chance to show that their community is more important than the fairy tale world of commercial television and television commercials.

Four Community Leaders Honored at National Gathering in Portland

Four outstanding community leaders were honored at the national conference of the Alliance for Community Media in Portland, Oregon on July 9, 1998. Each of the award categories recognized individuals who made significant contributions in the areas of humanistic communication, public access television, government and educational programming, local community origination and organizational leadership.

The recipients and categories were:

Anthony Riddle, executive director of the Manhattan Neighborhood Network (NY) and **Paula Manley**, executive director of Tualatin Valley Community Access (Beaverton, OR) were given the *The George Stoney Award for Humanistic Communications*.

Steve Fortriede, associate director of the Allen County Public Library (Fort Wayne, IN) received *The Buske Leadership Award* and **Cece Pinheiro**, executive coordinator of Community Television of Santa Cruz County (Santa Cruz, CA) received *The Jewell Ryan-White Award for Cultural Diversity*.

The George Stoney Award is given annually to an organization or individual who has made an outstanding contribution on a national scale to championing the growth and experience of humanistic community communications. Riddle and Manley were simultaneously honored this year for their work.

Riddle has served as: executive director of three metropolitan public access centers (including his current post at the Manhattan Neighborhood Network); the national spokesperson and international chair of the Alliance for Community Media; and on the Carter Commission where he was instrumental in defining the role of public access in the face of technological development. Riddle has traveled worldwide promoting communications access as a human rights issue and has spoken extensively on communications access and free speech.

Manley has spent two decades working to preserve citizen access to media and promoting the use of media in community development. In 1980, Manley produced documentaries with community groups working to preserve barrio neighborhoods in Austin, Texas. Manley's efforts resulted in her serving on the Austin Cable Commission and later she organized the community to save the access channels from serious funding cutbacks. Manley

has served as a national board member of the Alliance for Community Media, edited and written numerous articles for the *Community Media Review* journal and co-founded the Community Media Leadership Institute.

The Buske Leadership Award recognizes individuals who have demonstrated commitment to the mission and goals of the Alliance for Community Media, leadership within the organization within the three last years, a high degree of involvement in the organization nationally, regionally and at the chapter level and continuing service to the Alliance.

Fortriede, the 1998 recipient of The Buske Leadership Award, has been an active member of the Alliance since 1979, serving on the Central States Regional board for over sixteen years, and the Indiana Chapter board during that same period. Fortriede's notable achievements include fundraising, development of budget and finance policies, and local and national parliamentary leadership. As associate director of the Allen County Library, Fortriede consistently promotes public access to cable media and has been instrumental in developing access centers in Indiana and Ohio. A First Amendment advocate, Fortriede works against censorship and for the right of library patrons to have full access to information.

Recognizing the importance of diversity, the Jewell Ryan-White Award for Cultural Diversity is given annually to those persons who show an outstanding contribution to a process that encourages, facilitates or creates culturally diverse and/or non-mainstream community involvement in the field of community media.

This year's recipient, Cece Pinheiro, earned the award for her work as an educator and activist for gay youth while directing a show called QYTV (Queer Youth TV). The show, QYTV, enables gay youth and their supporters to get training and have their voices heard on television. Students receive free classes in field/studio production and editing. In addition to QYTV, Pinheiro has developed a mentoring program for "at-risk" youth ages 15 to 18. Students in this program learn video production, crew shows and receive a stipend for their work after they complete their classes. In addition to her work with youth, Pinheiro serves on the Board of Directors for Community Television of Santa Cruz County.

Alliance Seeks Dialogue With President of PBS

On July 21, 1998, Bunnie Riedel, executive director of the Alliance for Community Media, sent a letter to Ervin Duggan, president of PBS requesting a meeting to discuss "shared goals" of the "expansion of community voices and public television programming." The letter was "intended to invite dialogue" with Mr. Duggan in the wake of "disparaging remarks" he publicly made regarding PEG access.

"I don't think he understands what PEG access is about and the service PEG offers to the community," said Riedel. "If he did, I doubt that he would have said those things."

Riedel referenced Duggan's comments before the D.C. Cable Club in December 1997, at which he stated that PEG channels were one of the most "underutilized resources" in the country and suggested that cable and PBS might join forces to "rehabilitate" local operations. In a related speech, Duggan said "access channels fail because of a vaguely defined mission and lack of editorial intelligence."

Ms. Riedel wrote, "The access community gives its life's blood in community service...it doesn't deserve a slap in the face, it deserves a pat on the back!...There is no doubt that public broadcasting and public access share many common goals even while having distinctly different public service missions... As we enter the next century with the exciting prospect of technological advancement, one of our shared goals must be toward the expansion of community voices and public television programming. Each can and will have a fair-share if we work together as respectful neighbors rather than against one another as self-interested room-mates."

The letter ended with an invitation to discuss the issues over lunch or dinner. "I am hopeful he will take my offer," said Riedel. "It must be understood that respect for PEG, and for the people who are PEG, is an expectation."

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Creating Communication Greenspaces: Cable Refranchising for a New Millennium

This issue of Community Media Review focuses on cable franchising and franchise renewals in the late 90s. Local cable franchising remains one of the few arenas in which the public has even a minimal say in the policy and development of the communication systems that play an increasingly crucial role in our lives. The writers in this issue hope their articles will serve as useful tools and guides for the readers in their efforts to create community responsive, democratic cable franchises.

Cable television made the first cut into the seamless technical and cultural domination of broadcast television in the 70s and 80s. The expanded spectrum space created by the 'television of abundance', as cable was then called, provided the initial political rationale used to pressure authorities for the deregulation of telecommunications in general and particularly television. The policy discussion in those times was awash with talk of electronic democracy and voting, electronic classrooms – the same old technocratic song of 'free information, everywhere, anytime' that is now being recycled for the implementation of the Internet.

Policy-makers in the early decades of cable saw telecommunications as a vehicle for social and political reform, as a means to democratize mass media for example and give a voice to the oppressed. However the regulation in behalf of social reform quickly gave way to deregulation in behalf of international trade and deregulated economic restructuring. What followed was an explosion of market driven global communications development: national and international communication mergers, buy-outs and monopolies.

This underscores the on-going historical significance of community access media and local cable programming as issues in cable franchising. Community media is a kind of communication green space in the media environment, one of the few cultural institutions where media practice can be guided by values and needs outside the dictates of commercial media. The cable franchise is one of the keys to the allotment needed to grow and maintain these media green spaces in our communities.

Now because of the changing technology and political climate cable franchising takes place in a broader context of

telecommunication planning and infrastructure building. Cable systems are now hybrid technologies using fiber optic and coaxial cable. They have become essentially switched networks capable of delivering data, voice and video. This has brought new players into the policy discussion, the strategies and tactics used by local telecommunications activists are changing.

This issue attempts to recognize a broad set of options and strategies available to citizen advocates and government regulators in cable franchising. James N. Horwood and Peter J. Hopkins review the recent court decisions that are expected to have an impact on local franchising. Joe Van Eaton outlines the strategic priorities for cities and activists in current franchising processes. This writer, Fred Johnson, attempts to look at cable franchising in a broader cultural and historical framework. Brenda Trainor discusses the important possibility of publicly owned cable and telecommunications systems for those of us that live in economic niches where market competition or socially responsible corporate citizens are scarce. John W. Pestle outlines the strategy of multi-city franchising as a way to allow groups of smaller cities or a region to collaborate in franchise regulation and the combined use of local programming resources.

Data transmission and Internet access are now issues in cable franchising and that opens the discussion up to other potentially important community partners such as Community Technology Centers and local economic development initiatives. Toward that Peter Miller writes about the on-going collaboration between the Alliance and the Community Technology Center Network; Peter also outlines an important new policy initiative focused on rural telecom policy from the The Civil Rights Forum. June Holley from ACENet in Athens, Ohio gives us a glimpse of the way local economic development activists see their interest in cable franchising. At ACENet June works to revitalize the economies of low-income neighborhoods and regions.

Thanks to everyone who has written or volunteered time on this issue, including the readers; please forgive us our occasional wonkiness. It is our hope the information proves useful in your work.

– Fred Johnson

Cable Franchising

Notes on Creating Public Space

by Fred Johnson

*A*T&T bought TCI for \$48 Billion. Whoooooee! If there are any doubts we are witnessing the emergence of a new telecommunications era that should end them. We are in the midst of a merger-driven, technology-driven restructuring of telecommunications that makes the cable franchising gold rush of the late 70s and early 80s look like a yard sale.

Because the cable franchises of the first wave of franchising are now coming up for renewal it might be tempting to slip into linear thinking about the present using clichés of history 'repeating itself' or 'doing what we do best' or even worse 'keepin' on keepin' on'. To do so would be a dreadful mistake akin to wandering around with virtual reality goggles jacked into the 80s channel. The results would be some form of violent and unpleasant reorientation to the times.

The policy environment for cable franchising has changed drastically. Cable franchising initially represented a minor revision to U.S. telecommunications policy, wedging cable into a small space circumscribed by broadcasting and the telephone companies. Indeed many say the Cable Act of 1984, which signaled the closing of the first wave of franchising, represented little more than a deal brokered by Congress wherein the cable industry promised to stay out of the data and telephone transmission business in return for a reduction in the power cities held to regulate their rates. Perhaps an oversimplification but a useful one for knowing where things stand historically.

The passage of the 1996 Communications Act on the other hand is symptomatic of the most significant changes to take place in U.S. telecommunication since 1934. The hands-off, laissez-faire, policies of previous governments have been replaced by the current administration's dreams of 'Cybernetic Capitalism', a new phase of corporate restructuring in which microelectronics and information technology are deployed to completely reorganize the fabric of life.

Early cable franchising was about opening television to broadband transmission, it was a prelude to the global changes we are now experiencing. The present wave of cable franchising is about integrating cable into the emerging global telecommunications infrastructure. These are changes tectonic in proportion. Telecommunications and information technology are the definitive infrastructure of the times. Like all infrastructure these technologies shift the basic dimensions of life. They dissolve boundaries between institutions, redefine public and private space; they change our fundamental notions of community.

Knowing What Story You Are In

Writer Gurney Norman often says, "sanity is knowing what story you are in." Well, the political story that cable access inhabits has changed to a much more complex tale. The successful and sane telling and acting out of that tale by activists and advocates requires a strategic understanding of the new story and where the public interest lies in it. If local advocates want to keep telling the stories of the 70s and 80s they may find themselves wandering mad in the howling information 'industreality' of the times.

Cable franchising is no longer simply about receiving television and access to television. It is now about how our communities are going to be organized in relationship to a global economy and culture. The outcome of this current round of cable franchising will be a significant factor in the creation of new kinds of social space and time, new media, new economies, new kinds of organizations, new forms of money, new types of ownership, and new educational institutions.

Cities today are not so much places as processes embedded in the blackened rubble of the old industrial cities and rural areas. They now have different relationships to each other, linked as command and control nodes in distant geographies, globally connected and locally disconnected. Telecommunications makes it possible to 'blink out' regions

and places by disinvesting, wiring around, and ignoring places that are not valued by the economic and spatial logic of the global economic system. This is the core problem cities are confronting in cable franchising now. What the economic and spatial logic of the system values is information technology and highly skilled and productive labor. If cities do not have those capacities they will be blinked out of the emerging system. This requires a sophisticated response by local advocates.

National deregulation has left local franchising as one of the few places citizens can still have a voice in telecommunications policy in the late 90s. Hopefully it will not always remain so, but for now local-regional telecommunication regulation and planning is one of the most significant buffers between our communities and the nearly unregulated global market. Suddenly local access advocates find themselves in a story where they and local governments are about the only ones in their communities who have any experience. In order to be taken seriously by governments local activists are developing a big sense of purpose. In addition to their concern for local access channels it is now in their strategic interest to become advocates for the holistic concerns of their communities in the arena of telecommunications.

Again what are those interests? Cable franchises are now part of the answer to the fundamental question confronting cities, how will they 1) get the infrastructure in place to act in the global economy, and, 2) assist citizens in acquiring the skills and competencies to act effectively as citizens and do the information-intensive work of that economy.

A first step in that kind of civic sanity for local telecommunication activists has been to understand that nothing like sanity will come from focusing exclusively or predominately on cable access as a means to free expression. The public and government will not continue to fund Boffo the Nasty Talking Clown or the latest art school avant-garde video, crafted to outrage the bourgeoisie, unless they

come with many other program and information flows connected to the real needs of communities. The only way free speech will survive on these channels will be as part of a larger vision of the potential for local communication to facilitate self-directed community development and self-definition for communities in the emerging global economy and culture.

Cable Franchises Are Processes Not Things

The cable franchising process is technically, legally defined by the Communication Act of 1996 and certainly it serves well to become acquainted with that process. It begins three years before the cable franchise expires and includes many formal procedures local governments must follow in order to work out the most advantageous position for its citizens. If local governments fail to follow these procedures it leaves their citizens vulnerable to the cable industry's bottom line thinking.

However, for local advocates that is only one moment in a social process which is really on-going. Cable franchising is ultimately about municipal and regional politics. The process of applying information technology to community development will do little to secure quality franchise provisions unless that work is done with an eye to creating strong community-based class and race alliances. Such alliances, which should cut across historical lines of division and onto city and county councils, are needed to assure government acts responsibly in franchise negotiations. For that matter in myriad other local telecommunication matters, as well.

The exact make-up of these alliances will vary from community to community but the outlines are clearly visible along what many are now characterizing as the 'digital divide'. [See *Losing Ground Bit by Bit*, from the Benton Foundation] As more and more of our governmental, political and cultural life takes place electronically the social divisions born of poverty and race become wider, more insurmountable. This raises the stakes, populations excluded from using communication technology by poverty and culture will find their options for participating in society reduced overall. Anyone building local telecommunication coalitions starts here, with underserved and underrepresented people. From there the



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outline extends to labor unions and churches, local non-profits, grassroots groups, neighborhood associations, other community media organizations, community planning and environmental groups. There are no democratically successful franchises in the absence of some kind of community-based race and class alliance that made it that way.

But its not just about politics. It is also about technology. The process of cable franchising is one of becoming attuned to the current technical evolution of information technology and discerning how the capacity of the technology can serve democratic development in our communities. It's important not to lose sight of the role cable access advocates play in the franchising story. It is a role writer Andrew Ross characterizes as 'Radical Technologist'. A kind of movement that depends "...more upon pragmatic than utopian knowledge and, in accepting advanced technology as a condition of possibility, it rejects the technophobia that is deeply entrenched in the tradition of left cultural despair."

Technophobia appears to be driving some of the emphasis access activists are now placing on community development as a means to make access more relevant to community needs. Losing sight of the unique role 'radical technologists' can play in a community could be just as disastrous as remaining too focused on free expression, or becoming technophiles

and ignoring community development politics. A wrong turn either way leaves access people to wander in the wilderness, rather than sited in their communities armed with pragmatic know-how, workable strategies and local tactics.

That means beginning to understand the story our communities are telling features a struggle to assure sufficient bandwidth to allow micro-businesses to work globally and a workforce with the information skills to carry out that business. Activists in this story join with the small businesses to fight for affordable telecommunication infrastructure and begin training programs designed to train underserved and marginal populations to get the jobs in the information economy. It means forging alliances with the labor unions in our communities who are grappling with unemployment and the politics of the workplace – labor unions that still represent significant political clout locally and whose ranks and vision are beginning to grow again for the first time in years.

In this story cable access centers are evolving to become community centers of media culture, institutions that help communities understand and negotiate the cultural changes being imposed by the information economy. In this story media literacy and culture workshops are provided to allow communities to be effective parents and citizens in a media saturated home and workplace. Communication policy issues are framed and debated face to face, on-line, on video and interactively in these centers along with planning and zoning debates, local elections, community lectures and arts events.

The evolution of access centers now also includes computer labs for training and expression, Internet access, email and web site access for Internet communication. Video could begin to be used once again as a process tool rather than only for making programs for cable channels. As a dance and movement education tool for example, or to create video documents for political organizing, and trigger tapes to stimulate discussion groups. Of course such centers could also become sources of technical assistance for non-profit organizations in their efforts to participate in the emerging 'networked society'. Nothing aside from money is more urgently needed by the non-profit community at this

Losing Ground Bit by Bit: Low-Income Communities in the Information Age

Losing Ground Bit by Bit: Low-Income Communities in the Information Age, the latest report in the Benton Foundation's "What's Going On" Series. It examines the technology gap in low-income communities, a trend where low-income urban neighborhoods and rural areas are being 'wired out' of the benefits of the information economy and culture due to lack of investment in infrastructure and access to information tools. The writers state that "Losing Ground" reflects their conviction that design of the communications system through which we will talk to one another, learn from one another, and participate in political and economic life together is too important to be left to the free market alone.

Cable franchising is now a fundamental component of our communities' overall efforts to design the communication systems that allow us to participate as citizens in the electronic environment. "Losing Ground" is an excellent resource for access activists. It provides eloquent language and accessible argument for making social inclusion and social justice key outcomes in any policy and development discussion for creating the emerging 'network society'. It also includes a wonderful resource section [some of which are included in this issue] that will prove extremely useful for anyone trying to enter the policy debate around telecommunications development.

Losing Ground Bit by Bit is published by the Benton Foundation in association with the National Urban League, who share a commitment to bringing the benefits of the digital age to all Americans.

Printed copies of this report are available for \$10.00 each by calling 1-877-2-BENTON (1-877-223-6866), or free for downloading from the foundation's web site at www.benton.org.

moment than "connectivity assistance" in integrating Internet communication into their work. Who else will provide these services? Who is more uniquely suited to play this kind of role in communities than access centers?

Tactics

Because the telecommunications landscape has become more complex and the stakes higher for communities, the franchising concerns of local activists are broadening out to encompass the issues that allow communities and community media centers to grow and evolve.

Affordable-cheap-free bandwidth is critical. It is no longer simply about how many access channels are available to the public. If centers are going to be able to expand into Internet access, digital media, job training, video conferencing and distance learning, bandwidth is key. That means the cable franchise provisions dealing with the Institutional Network are of increasing interest; it means the cable company must be committed to provide Internet services as part of their cable offering; it means access centers must have clear, dedicated digital capacity on the switched data networks being created in the upgrades of franchise renewals. Anything less will leave centers digitally marginalized.

Affordable digital bandwidth is also key for micro-economic development in our communities. If new jobs and new wealth are going to be created in communities in the current economy there must be a telecommunications infrastructure that features the following:

- ▲ Interactivity that links individuals to others and communities as peers
- ▲ Software Simplicity
- ▲ Hardware and Software Compatibility
- ▲ Linkage between individuals and firms in emerging markets
- ▲ Community-Driven design
- ▲ Allows people and organizations to engage in creative processes
- ▲ Low Cost
- ▲ Rights of Access

These are all issues for local activists. Each is critical for people who do not have jobs or are struggling to start small businesses. Each is critical to any community-based activity using telecommunications.

Non-cable related media. In order to meet the needs of communities in these times, to help communities negotiate the cultural changes now taking place as a result of globalization, access centers have to take on a range of activities that go far beyond making programs for the access channels. Many cable

franchises now box centers in with missions too narrow for the needs of their communities. There is no good reason why community media centers can not use the resources provided by cable franchises to provide Internet access, do job training, provide production equipment for organizing, education and personal exploration that will never show up on a cable channel. All of these are communications-related activities desperately needed by community members. That is not to say there should be no performance standards for access channel programming but only that access' role should not be limited to programming the channels by the franchise.

These are not utopian notions, these stories are taking place in community media centers all over the world now. And they are appropriate, sane responses to extremely challenging times. Changing and evolving, learning what story they are in, will be immeasurably easier for the U.S. centers, or more difficult, depending on how their communities define access and local telecommunications needs during their franchising process. Cable franchising is a high-stakes local telecommunications decision making process in which local government has the power to set an important framework for the growth of communities. It behooves all to pay attention to how well local government is paying attention to these important responsibilities. If they are not we will all end up paying dearly.

Fred Johnson, a former Alliance Board member, is a media artist, documentary maker, educator and researcher. He writes and consults in telecommunications and development. Fred is a founding member of Media Working Group, a cooperative media production, education, research and development organization since 1987.

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Recent Court Decisions Affecting Franchising

By James N. Horwood
and Peter J. Hopkins

The federal Cable Act provides a dual regulatory framework: local governments may franchise cable systems consistent with federal standards, such as the Cable Act's renewal procedures. Recent court decisions, and in particular, the U.S. Court of Appeals' landmark decision in *Union CATV, Inc. v. City of Sturgis, Ky*, 107 F.3d 434 (6th Cir. 1997), evidence the judiciary's recognition of the proper deference due local governments as franchising authorities. The Sturgis decision should serve local governments well in reminding cable operators that franchising authorities make and enforce cable law. Although the Cable Act cut back the scope of local governmental powers, including the grounds on which franchise renewal could be denied, Sturgis shows that local franchising authorities still retain very broad and substantial legislative and regulatory powers in the context of franchise renewal proceedings. The courts have also made clear, however, in recent decisions, that in order to wield these prescriptive powers local franchising authorities must themselves correctly observe the processes of government and law.

The Sturgis Decision

To date, Sturgis is the landmark decision in the area of cable franchise renewal proceedings. Since 1984 there have been very few instances where franchising authorities have denied renewal of a cable operator's franchise pursuant to the requirements of § 626 of the Cable Act. Prior to Sturgis, none of these denial proceedings had advanced so far up the court system to a federal court of appeals.

The Cable Act permits a franchising authority to deny renewal of a franchise only on one or more of the following four grounds: (1) substantial noncompliance with the franchise; (2) inadequate operator service (including signal quality); (3) lack of technical, financial, or legal ability to provide the proposed services; or (4) the operator's proposal is not reasonable

to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests. In many renewals, reasons two and three (inadequate service or inability to provide the service) are not likely grounds to support a denial of renewal. Material noncompliance may be cause for denying renewal in some cases, but not all. By comparison, in every formal renewal proceeding, a potential basis for denying renewal is whether the operator's proposal is not reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests. Included within the ascertainment of future community cable needs and interests is the community's identification of PEG access and I-Net needs that must be met in the future under the proposed new franchise.

Sturgis answers the important question as to what level of deference is due a franchising authority in denying a cable operator's request for renewal based upon a finding that the cable operator's proposal does not meet the community's future cable-related needs and interests taking into account the cost of meeting such needs. In its seminal decision the U.S. Court of Appeals for the Sixth Circuit held and explained that:

The Cable Act recognizes that municipalities are best able to determine a community's cable-related needs and interests. The city council's knowledge of the community gives it an institutional advantage in identifying the community's cable needs and interests. It would be inappropriate for a federal court to second-guess the city in its identification of such needs and interests.

[The Court] conclude[s] therefore, that judicial review of a municipality's identification of its cable-related needs and interests is very limited. A court should defer to the franchising authority's identification of the community's needs and interests except to the extent necessary to weigh the needs and interests against the cost of implementing

them. Sturgis, 107 F.3d at 441.

Sturgis stands as a ringing endorsement of judicial deference to the franchising authority's expertise in identifying local cable needs and interests. In addition, although the Sturgis decision is technically binding authority only within the four state territory of the Sixth Circuit (i.e., Michigan, Ohio, Kentucky and Tennessee) it is a well reasoned decision grounded in the language and legislative purpose of the Cable Act which courts — and franchising authorities — elsewhere may well elect to follow. In denying renewal, pursuant to § 626(c)(3) of the Cable Act, a franchising authority is required to "issue a written decision" "stat[ing] the reasons therefor."

The Sturgis decision is also noteworthy in making clear that the renewal process does not work like baseball arbitration; i.e., it is not the case that the franchising authority must insist upon compliance with the terms of its request for proposal, or accept the cable operator's proposal by default. Instead, the cable "operator's responsibility is to provide those facilities and services which can be shown to be in the interests of the community to receive in view of the costs thereof." Sturgis, 107 F.3d at 440 (quoting H.R. Rep. No. 98-934, at 74, reprinted in 1984 U.S.C.C.A.N. at 4711) (emphasis omitted). Even if an RFP issued by a franchising authority overstates community needs and interest, the cable operator is not entitled to renewal based upon a proposal that fails to meet needs and interests (considering costs). Indeed, and instead, a proposal is properly reviewed on an item-by-item basis. "When a proposal does not satisfy an identified need, the court must decide whether the operator has established that the cost of meeting that need so outweighs the value of the need that the proposal is nonetheless reasonable." Id. at 440-41.

Procedural Considerations

While Sturgis teaches that franchising authorities are not to be second guessed in the substantive area of identifying community needs and interests, two other federal district court decisions

show judicial concern for franchising authorities following proper renewal procedures. In an unpublished order in *City of Monterey v. TCI Cablevision of California, Inc.*, Case No. C-97-20269 (N.D. Cal. June 9, 1997), the Court found that the City of Monterey was required to commence administrative proceedings under § 626(c)(2) following receipt of the cable operator's response to the city's RFP even though "the proposal does not contain each and every requirement as set forth in the RFP." Monterey had argued that no hearing was required because the cable operator's response was devoid of virtually all information solicited in the RFP about the cable operator's plans for the system and therefore did not constitute a proposal within the meaning of § 626(b)(2) of the Cable Act. TCI admitted that its proposal was incomplete and sought to amend the proposal, after the requisite filing deadline. The Court's Declaratory Judgment (at 2) required Monterey to commence an administrative proceeding "with respect to the proposal by TCI for renewal for its cable franchise," but did not address and left open the issue of whether Monterey had to grant TCI a hearing based upon its untimely amended filing. At oral argument the Court observed that although a hearing was required, it might not have to be a very long hearing. Subsequent negotiations and agreement between the City and TCI obviated the need for any hearing altogether.

In *Rolla Cable System, Inc. v. City of Rolla*, 761 F. Supp. 1398 (E.D. Mo. 1991), the Court held that the city failed to provide the cable operator with proper notice and opportunity to cure the alleged areas of franchise noncompliance and poor signal quality that the city sought to rely upon as grounds for denying renewal. The Rolla decision is fact specific, and the Court was obviously influenced by the fact that several different city officials had communicated separate and different concerns and complaints to the cable operator in an apparently unconnected manner. The Court finds that in order to put a cable operator on notice of problems of noncompliance or poor quality service "the cable operator [must] know what the decision maker, [and] not a third party, considers wrong with the cable service." *Id.* at 1409. On the facts before it the Court indicated

that official city council action was necessary to put the cable operator on notice of the alleged violations.

Bricks and Mortar: Naperville

The most problematic of recent decisions relevant to franchise renewals is the magistrate judge's opinion in *Cable TV Fund 14-A, Ltd. d/b/a/ Jones Intercable v. City of Naperville*, 1997 U.S. Dist. LEXIS 11511 (N.D. Ill. 1997), involving an interpretation of § 545 dealing with franchise modification. In Naperville, the judge held that "[c]apital costs refer to those costs incurred in or associated with the construction of PEG access facilities." *Id.*, 1997 U.S. Dist. LEXIS 11511 * 40. The judge reasoned, based upon his reading of the legislative history (H.R. Rep. No. 98-934 at 19, reprinted in 1984 U.S.C.C.A.N. at 4656), that capital costs "are distinct from payments for, or in support of the use of, PEG access facilities." *Id.*

The Cable Act sets a ceiling on franchise fees of 5% of the cable operator's gross revenues. However, franchise fees do not include "capital costs which are required by the franchise to be incurred by the cable operator for public, educational, or governmental access facilities." 47 U.S.C. § 542(g). Some cable operators are raising the Naperville decision as grounds for objecting to requests that seek franchise fees excluding PEG access equipment costs.

We believe that Naperville is wrongly decided on this point and should not be followed. Although the Cable Act does not define "capital costs," the Supreme Court has repeatedly held that "[a] fundamental canon of statutory construction is that, unless otherwise defined, words will be interpreted as taking their ordinary, contemporary, common meaning." *Perrin v. United States*, 444 U.S. 37, 42 (1979). In the context of rate regulation and regulated utilities "capital costs" have a common and ordinary meaning and are defined functionally as costs associated with "assets that will provide service for more than one year" In re *Public Service Co. of New Hampshire*, 114 B.R. 820, 834 (Bankr. N.H. 1990) (quoting court appointed Examiner's report of former state public utility commission chairperson). Courts have also articulated a similar one year rule for identifying capital costs for tax purposes. See, e.g., *Richmond Television Corp. v.*

United States, 345 F.2d 901, 907 (4th Cir. 1965), vacated on other grounds, 382 U.S. 68, original holding on this issue reaffirmed, 354 F.2d 410 (4th Cir. 1965). Throughout the cable industry "capital costs" within the meaning of § 542(g) are understood to have the same functional meaning.

Because the language of the statute is plain, it is unnecessary to resort to the legislative history (as the magistrate judge did in reaching his decision) and there is no inconsistency between §§ 542 and 545. To the extent that a cable operator modifies and reduces its payments for PEG access equipment (on grounds of commercial impracticability under § 545) this change in cost obligation has no bearing on the level of franchise fees because these capital costs are excluded from the franchise fee. The legislative history also does not support the magistrate judge's decision. The portion of the House Report identified by the magistrate does not even contain the phrase "capital cost" or discuss the language that became § 542. Page 65 of the House Report, which does discuss the relevant language of the statute, simply states that "[a]s regards PEG access ... payments for capital costs required by the franchise to be made by the cable operator are not defined as fees under this provision." 1984 U.S.C.C.A.N. at 4702. The legislative history nowhere states (or indicates) that capital costs do not include equipment costs.

The Naperville court's cramped definition of capital costs has not been adopted in any other reported decision, and franchising authorities should vigorously argue against this reading of the statute. Based upon the common meaning of "capital costs" franchising authorities are justified in seeking to exclude costs related to PEG access equipment for purposes of determining the proposed franchise fee.

James N. Horwood and Peter J. Hopkins are partners in the Washington, D.C. law firm of Spiegel & McDiarmid. They assisted the City of Monterey, California in the litigation discussed in the article and are currently representing the City of Brunswick, Ohio and Brunswick Hills Township, Ohio in a formal administrative proceeding following the City's and Township's preliminary denial of franchise renewal pursuant to Section 626 of the Cable Act.

Current Strategies for Cable Franchising

An Opportunity to Enhance the Public Communications Infrastructure

by Joe Van Eaton

A community has enormous opportunities to enhance its public communications infrastructure and to advance the quality of life in the community through the cable television franchise renewal process. Some contend that the renewal process "is stacked against" communities, but experience suggests otherwise.

Recent renewals include: (1) substantial system upgrades; (2) substantial improvements in the quality of cable service; (3) contributions of television channels, facilities and equipment and operating support for PEG access; (4) advanced provider networks capable of supporting high speed Internet access; and (5) video, data and voice facilities that link schools, libraries and government buildings so that these institutions can communicate more efficiently with one another and with the public. These benefits have been obtained in many communities without significantly increasing rates to consumers.

A successful cable franchise renewal is not a matter of chance. Too many communities allow the cable operator to take control of the process. If a community fails to identify what it can and should obtain through the renewal process, the cable operator will have a large advantage.

For PEG supporters, particularly those outside of government, the key to a successful renewal is to raise the profile of PEG and to show why it is beneficial to the community. The cable operator will almost always argue that PEG costs more than it is worth (and argue that money paid to support PEG will be collected as a pass-through from subscribers). Operators who want to oppose access will also try to convince the community that PEG will only generate objectionable programming.

Some advocates try to respond to these arguments with a "first amendment" rights argument; with threats; or demonstrations. These tend to play into the hands of those who wish to prove access is really an expensive plaything

A successful cable franchise renewal is not a matter of chance. Too many communities allow the cable operator to take control of the process. If a community fails to identify what it can and should obtain through the renewal process, the cable operator will have a large advantage.

for the few. Much more effective is true grassroots organizing, where one explains the benefits of access to citizens, key community groups and leaders, volunteer groups and reporters. That is, if the community supports access, access can be successful in renewal.

Every renewal is different, and every community has different needs and interests. It is possible to satisfy the needs and interests of your community, including PEG needs – if the community puts the effort into the renewal process.

It is also important for PEG supporters to understand key renewal issues. Access interests are served by a strong franchise. Hot, current issues include the following:

1. PEG Requirements. Communities have required operators to set aside subscriber network channels for public, educational and government use for some time now – and communities that have obtained adequate financial support for those channels generally have found them to be an invaluable communications asset to the community. As companies move into a new digital world, however, new questions arise: can the community control the new digital capacity for PEG purposes and use this digital capacity to provide multiple channels of video and non-video information to subscribers' homes? If the operator controls all of the digital capacity, will PEG be precluded from digital use entirely, or limited only to the bandwidth required to send a one-way video channel to the home, thereby limiting the type and amount of information that can be provided via PEG channels? Several communities are seeking (a) the right to capacity (not channels) on the system, and the right to use those channels for any purpose, including transmission of data; (b)

transitional clauses that ensure that future modifications in the system will not result in financial harm to access; and (c) provisions guaranteeing channel location, or at least guaranteeing payment for "moving costs" if a channel is relocated. For access providers, a key is to think about tomorrow's issues, not just the issues facing access in the next 24 months.

2. The "level playing field" demand.

Almost all operators are now demanding a renewal clause that requires anyone who provides cable service within the community to satisfy the same conditions as those imposed on the incumbent operator. These clauses are very dangerous. The typical "level playing field" clause proffered by cable industry negotiators can easily put a community in breach of its contract, and require the community to give up some of the benefits for which it bargained (this is not just legal speculation – it has happened). A community should approach level playing field clauses with extreme caution and skepticism. PEG supporters need to understand these clauses because the clauses can put PEG access at risk.

3. Can a community establish detailed system rebuild requirements?

The cable industry argues that changes in 1996 to the Cable Act prohibit communities from requiring a company to install fiber optics, or from requiring any particular system design. Any cable operator who tells you that this argument is more than a lawyer's argument at this point is pulling your leg: the Federal Communications Commission has a rulemaking pending to determine what the amendments of 1996 mean. Operators will agree to carefully crafted renewal provisions that require rebuild systems with fiber optics, but reaching

agreement on system design is more difficult than ever. This issue is significant for PEG supporters because unless rebuilds are required, it is more difficult to obtain PEG capacity.

4. Institutional Networks.

Communities commonly require operators to provide institutional networks to link schools, libraries and governments for video, voice and data communications. These are powerful tools to bring to your community. With the "information age" it's a small percentage of the cost of building a separate information system. In some cases, the "I-NET" is a frequency set aside on the established network; in some cases, the operator provides fiber optic links, and the community is responsible for purchasing end-user equipment necessary to "light" the fiber and use those links; in some cases, operators agree to build these networks at marginal cost, and to provide a pool of funds that can be used to pay for a certain amount of construction and equipment. In any case, the I-NET language needs to be crafted so that both parties understand what is required to assure that the resulting network will be useable. And, for PEG access supporters, it is useful to have links from the I-Net to the Subscriber Network so that information can flow back and forth throughout the community.

5. Scope of the franchise. The operator will seek to include language in the franchise which effectively authorizes provision of telecommunications services without obtaining any additional license or franchise. If the cable franchise is authority to provide telecommunications services, the operator will argue that it cannot be required to pay charges and fees imposed on other telecommunications companies. Dollars to the community can mean more dollars available for access. Debate over the scope of the franchise has been quite heated in some recent renewals.

6. Internet Services. The Federal Communications Commission has suggested that Internet service is not a "telecommunications service" [Federal State Joint Board on Universal Service,

CC Docket No. 96-45, Report and Order, 62 F.R. 32862, pp.436-439 (May 8, 1997)]. But is it a "cable service" that can be addressed in a cable franchise? If Internet service is treated as a cable service, is it possible that PEG capacity can be reserved on menu systems offered by the operator? Several operators have agreed to treat Internet service as a cable service in recent renewals, and have agreed to rebuild systems so that the cable systems have the capability to provide high-speed, two-

way communications to and from the home. So far, related PEG issues have not been broadly addressed. The exact status of Internet service has not been finally resolved by the courts.

You may find that there is a clear misunderstanding of the renewal process in your community. A basic understanding is key to a

successful renewal. Some of the most frequently asked questions are the following:

1. I understand that the federal law has a complicated formal process, and also an informal process. My operator wants me to ignore the formal process and just enter into negotiations. Is that a good idea?

It is generally not a good idea. Federal law does allow two ways to work a renewal: through a formal process, or by negotiated agreement. But the two processes can and should work in tandem. The first step in the formal process is to identify future, cable-related needs and interests of the community and to review the past performance of the operator. By taking this first step, a community will obtain the information that it needs to be successful at the bargaining table, and it will be in a position to comply with the formal procedures if bargaining fails. An operator that suggests that a community ignore this step often is seeking to bring the local franchise authority to the bargaining table before it has a good idea of community needs, and before it can understand or put itself in a good position to protect its interests.

2. Why can't a community just kick its operator out of town and seek bids from others?

Federal law doesn't allow it. Under the federal Cable Act, the incumbent cable operator has special rights to consideration. If the operator activates the formal renewal process, it is protected against an arbitrary denial of renewal. A community has to go through certain steps and conduct certain proceedings before renewal can be denied. The process is not competitive. Renewal cannot be denied simply because someone else might be willing to offer more. An incumbent operator's past performance and proposal for future renewal must be evaluated on its own merits (or demerits).

3. Can a renewal request be denied?

Yes, both legally and practically. Although most communities do renew the incumbent's franchise, several communities have successfully denied renewal. The Cable Act permits a community to deny renewal if past performance has been inadequate, or if the operator is legally unqualified or is unwilling or unable to devote the necessary technical skills and financial resources to the community; or if the operator is unwilling to reasonably satisfy the future, cable-related needs and interests of the community (considering the cost of meeting those needs and interests), including PEG needs and interests.

4. How long does the renewal process take?

Communities usually devote one to three years, or more, to the renewal process. A longer period is possible but carries additional practical and legal risks.

5. What can I get through the renewal process?

Among other things, as part of the renewal process, you can ensure that the cable system is properly upgraded; require the operator to set aside channels for public, educational and government use of the cable system, and require certain support for those channels (studios and equipment, for example). You can also require the operator to provide an institutional network providing, for example, a modern telecommunications link for schools, libraries and government. In many communities, operators have agreed to provide support outside the franchise agreement for access operations. The support for access

| City/State Cable Company No. of Subscribers | Year Renewed | Franchise Fee | System Architecture: Rebuild Highlights | Institutional Network | PEG Access Management Type | PEG Access Channels | Cable Company Provisions for PEG Access Equipment and Facilities | Operating Support for PEG Access Services | |
|--|-----------------|------------------|--|---|--|---|---|--|--|
| | | | | | | | | Source | Amount |
| Forest Park, OH Time Warner 13,450 | 1996 | 5% | Rebuilt to hybrid fiber-coaxial cable (750 MHz) 75 Channels Interconnect with all adjacent company-owned cable systems required | Not addressed | Nonprofit Organization | Initially 5 After system upgrade: 9 | 75¢ per subscriber per month Company provides existing building space for PEG and franchise enforcement staff | Cable Company County | Initial payment of \$322,608 paid directly to PEG Access |
| Mountain View, CA TCI 16,000 | 1996 | 5% | 750 MHz fiber/coaxial rebuild | Yes | Nonprofit Organization | 4 - 6 analog Up to 12 analog and digital | \$2.6 million over 10 years (includes funds for I-Net equipment and PEG Access services) | Cable Company City | (Included in funding for PEG Access equipment/facilities) 70% of franchise fees |
| Arlington County, VA Prime Communications 60,000 | 1998 | 5% | Hybrid Fiber/Coax, 750 MHz, 82 channels Interconnect with other cable systems or similar communications systems in the area required. Through I-Net, free internet access (up to 1.5 Mbps, additional capacity at company cost) to the public schools. 6 service drops, 6 converters, Basic and CPS to the main PEG facility | Two-way fiber network for county's exclusive use for interactive video, data and voice purposes. Company financial/equipment support: \$390,000 annually in years 1-3; \$117,000 annually thereafter. 6 MHz upstream (two MHz upstream) of bandwidth and 50 cable modems for county use. Connection allowing county users to access the I-Net and other county users on the subscriber network without using the internet. | Nonprofit organization, county, library | Five channels (2 Public, 2 Education, 1 Government) Two additional channels | Initial payment of \$850,000 in cash and/or in-kind equipment. Annual payment of \$289,000. 3,000 square foot public access studio and move-in costs. Two I-Net Fibers and transmission equipment dedicated to connecting four PEG Access sites. | Cable Company County | 1% of Gross Revenues Additional payments to PEG Access provide \$100,000 year for Educational Access support and \$160,000 for Government Access and franchise administration fees |
| Fairfax County, VA Media General 227,769 | 1998 | 5% | Dual cable hybrid fiber/coax 550 MHz per cable, 1.1 GHz total | I-Net upgrade built by the company, paid for and owned by the county. I-Net sites able to originate and receive fully interactive video, data and voice signals | Nonprofit organization, county, schools. | Initially: 14 (4 Public, 7 Education, 3 Government) Additional 4 (E or G) channels (total of 18 possible) may be activated at county's option. Company must provide an additional 50% of E and G capacity in a digital environment. | Capital grants of 3% of gross revenues, less franchise fees. Full fiber links, including terminal equipment, between 8 PEG Access origination sites and headend. | Cable Company County | Payments to support Public Access: 0.96% of gross revenues. Payments subtracted from the amount paid to the county through the capital grant and franchise fees. 19% of franchise fees (0.96% of gross revenues) for Public Access. Educational and Government funded directly by Board of Supervisors. |
| St. Paul, MN Media One 54,000 | 1998 | 5% | Hybrid fiber/coax 750 MHz, 77 Channels Company must negotiate to interconnect with other regional cable systems within six months of franchise effective date for PEG and I-Net purposes. Continuation of free drops providing Basic and Expanded Basic to public and private schools, libraries, police and fire stations, community centers and other public buildings. | Company builds and maintains an I-Net for non-commercial use by the city; initial payment of \$100,000, with additional \$100,000 annually for next four years supports city I-Net costs. 4 Networks comprise the I-Net: bi-directional, voice, video, and data. | Nonprofit organization, city. | Initially: 7 (4 Public, 1 Government, 1 Educational and 1 Regional PEG). | \$630,000 annual capital grant Initial \$500,000 payment, with additional \$500,000 payments on the third and seventh anniversary of the franchise; plus if franchise term is extended, an additional \$250,000 on the 11th anniversary of the franchise. Production facilities will be provided by company at a reduced rent (capped at \$12,500/year) Promotional support for PEG (a) two cross-channel announcements daily; (b) channels listings on the electronic program guide; (c) two bill stuffer insertions per year. | Cable Company City | Included in \$630,000 annual capital grant. Annual allocation for Government Access from City Budget. |

is often provided above and beyond the franchise fee.

A community can also ensure that any construction of the cable system proceeds in an orderly fashion, that all parts of the community can obtain service, and that the system is rebuilt in a reasonable period of time. The franchise term can also be established through the renewal process - renewals do not have to be for 15 years, and often are far shorter. In addition, as the renewal process proceeds, communities often will establish customer service standards; franchise fee requirements; procedures for reviewing operator performance and for ensuring that the operator continues to satisfy community needs throughout the franchise term.

There are some things that communities cannot do through the renewal process. Perhaps most importantly, a municipality cannot (1) require the operator to provide specific programs (a community should be able to establish channel capacity requirements); or (2) require the operator to provide service at a certain rate (other than the rate established consistent with federal regulations).

6. The operator tells me that anything I ask for will be passed through in rates. Is that right?

No, it is not. In communities that are regulating cable rates, an operator can pass through increases in its external costs to subscribers. Some franchise requirements, such as PEG and franchise fee requirements, are external costs, but not all are. In addition, because the operator is only entitled to pass through the increase in those costs, renewal franchise requirements do not necessarily result in rate increases, depending in part on what was required under the prior franchise. In several recent renewals, for example, operators have agreed that only a small part of the total renewal franchise requirements are eligible for rate pass-through under FCC rules.

Joe Van Eaton is a partner with the Washington D.C. law firm of Miller & Van Eaton, P.L.L.C. He is a former member of the Board of the Alliance, and received the George Stoney award for Humanistic Communication in 1993. Joe has worked in support of PEG access for over 15 years.

Group Franchise Renewals

Significant Benefits, Significant Cost Savings

By John W. Pestle

Municipalities can receive significant benefits and significant cost savings by working as a group to renew cable franchises. We have worked in this fashion on franchise renewals, franchise transfers, rate regulation and other matters for municipalities. Some key points about such group efforts are as follows.

Increased Effectiveness. Municipalities increase their effectiveness if they work together. This is particularly true for small communities. We once represented a group of communities ranging in size from 500 people to 18,000 people on a franchise renewal. The average size of the communities was in the 2,000 - 3,000 population range and they were scattered throughout a major Midwestern state - they were up to 125 miles apart in an east/west direction and up to 200 miles apart north to south. Their cable systems, although commonly owned, were small, served rural areas and were widely separated (often with major metropolitan areas in between them).

Over a period of approximately three months the communities successfully negotiated a good, 45-page franchise with PEG provisions adapted to their local needs. All agreed that given the size of the communities that the favorable result would not have been possible without their having joined together.

One of the reasons group efforts are effective is because it is given more attention by the cable operator. Often in the group representations we are involved in the cable company will send a vice president to conduct negotiations. This is generally a significant plus in negotiations because higher level officials generally have more authority to say "yes" to reasonable requests or to agree to compromises of disputed issues which lower officials lack the authority (or hesitate) to approve.

Consistency. All communities having the same form of a franchise provides benefits for the municipality and for the cable operator. Because the franchises

One of the reasons group efforts are effective is because it is given more attention by the cable operator. Often in the group representations we are involved in the cable company will send a vice president to conduct negotiations.

are identical, it prevents criticism of a municipality for not getting as good a franchise as a neighboring municipality. This can be very important for elected officials.

Consistency also benefits the cable operator: It ends up with one uniform agreement with (for example) a uniform set of customer service standards for all their systems. This can provide significant operational savings.

Costs. The cost savings for the communities are substantial. In a group on average the cost per municipality will be a fraction of what a municipality would have incurred if it had attempted to renew the franchise on its own. The exact cost savings depends upon the allocation formula agreed to by the municipalities. We are familiar with situations where a community got a very good result for from 5% to 10% of what it might have cost the municipality to act on its own.

Negatives. The negatives of a group approach are that a municipality has to act as a part of a group and cannot necessarily advance solely its own interest. As a result, communities who believe they have unique interests do not and should not participate in a group effort. Stated otherwise, a group is most effective if there are truly common interests. To the extent that the interests diverge, the group will be less successful.

A related disadvantage is that any negotiation involves compromise and a degree of horse trading. If a matter is important to a municipality, it should be present at each negotiating session

to make sure its concerns are heard and that something of significant importance to it is not given up. This tends not to be a real problem because normally communities don't have conflicting interests (such as one wanting a public access channel and another being diametrically opposed to it) as much as they have differing interests (one community wants a public access channel and another community does not believe it is appropriate for its situation, but has no objection to the first community having such a channel). As a practical matter the enhanced bargaining power from the communities working together usually allows all the communities to achieve their important objectives, when this might not have been possible for most of them acting on their own.

Geography. The most common group efforts involve nearby communities, typically those in a major metropolitan area served by the same cable operator. But the communities need not be adjacent to work effectively. As in the example cited at the start of this article, we have represented (on transfers and many other items) communities served by the same cable operator who were located several hundred miles apart. The key is having the same cable operator and the communities having similar interests.

Structure. Communities have long recognized the benefits of group efforts and to this end have joined together in cable consortia, metropolitan area cable commissions, and the like. Typically these are formal, government bodies who have assumed (or to whom are delegated) much or all cable matters, including franchise renewals. Sometimes the joint agency has the authority to execute franchises on its own. In others it negotiates a franchise which has to be approved by each of its members although approval is almost always given.

A problem with such organizations is

that under applicable municipal laws they can be time consuming to form, require their own set of bylaws and often are subject to the general procedural requirements applicable to municipalities (Freedom of Information Act, Open Meetings Act, and the like) which tend to increase costs.

An alternate approach which we have successfully used is the "joint representation" approach where numerous municipalities simply retain the same law firm. Their contract with the law firm states that the community understands that it will be represented by the firm along with other municipalities with similar interests. The contract also spells out the fee allocation formula that the municipalities have agreed to.

This "joint representation" approach is well suited to one-time projects such as a franchise renewal because it can be entered into relatively easily by a municipality and does not commit the municipality to any medium or long term relationship or funding.

Conclusion. Group efforts by municipalities on franchise renewals are effective in leading to better franchises at reduced cost. Municipalities are well advised to consider this approach for franchise renewals.

John W. Pestle is Co-Chairman of the Energy and Telecommunications Practice Group at Varnum, Riddering, Schmidt & Howlett of Grand Rapids, Michigan. Mr. Pestle and the firm represent municipalities nationwide on cable and telecommunications matters.

Mr. Pestle is a past Chair of both the Municipal Lawyers Section of the State Bar of Michigan and the Legal Section of the American Public Power Association. He received the "Member of the Year" award from the National Association of Telecommunications Officers and Advisors in 1996 for his work representing municipalities on the Federal Telecommunications Act of 1996. He is a graduate of Harvard College, Yale Graduate School and the University of Michigan Law School.

International Efforts to be Featured at 1999 National Conference

The national Alliance for Community Media Conference will be held at the historic art deco Omni Netherland Plaza in downtown Cincinnati July 7-11, 1999.

International Committee chair, Ruben Abreu, and members Joyce Miller, Dirk Koning and Eric Mollberg are working to bring 20 media activists from around the world to the conference to share their work.

Dirk Koning attended the Videazimut conference in South Africa in September. Through both Dirk and Professor George Stoney's international involvement as well as those centers which have hosted or developed contacts with international representatives, a list of invitations will be extended. The goal is to sponsor both airfare and lodging for each international guest for the week of July 5-12.

An international reception is being sponsored by Cincinnati Community Video at the Fifth Third Black Box Theatre near the conference hotel on Wednesday evening, July 7. The event will feature the work of the international guests in three playback stations throughout the room. A reception, cash bar, and music are planned. The event will be a special ticket offering, but sponsorship should keep the ticket prices reasonable. Additionally, the workshop planning committee will involve the international guests in appropriate panels throughout the conference.

For additional information, contact Joyce Miller at Cincinnati Community Video, 3130 Wasson Rd., Cincinnati, OH 45202, telephone 513.871.2730. Or visit the Alliance for Community Media website at www.alliancecm.org.

Upcoming Issues of Community Media Review

CMR is now a quarterly publication, published on the solstices and the equinoxes.

Upcoming issues include Non-profit Uses of Community Media, December '98 – guest editor-in-chief Ric Hayes, email rhayes@mvcc.net; Media Centers and New Technology, March '99 – Dirk Koning, email dirk@koning.org; Public Space – Public Sphere, June '99. CMR is seeking your input, if you have ideas for articles or authors, please contact the editors-in-chief listed.

Publicly Owned Networks

Considering the Options

By Brenda J. Trainor

Local governments, like every other entity in our economy, are challenged by living in the telecommunications revolution. Some, either de facto or by choice, are the owners of various kinds of telecom resources.

An interesting question arises: What is the appropriate role for a municipal government regarding ownership of telecom resources? The question is posed in the singular because there clearly is no universal answer covering all municipal governments. Many pundits have argued that information is our new essential service, with telecom technologies serving as the essential infrastructure. As roads drove a developing agricultural economy, and electrification powered an industrial/manufacturing economy, telecommunications connects the information economy.

Few would argue that municipal governments should not invest to improve the quality of their essential services and, like other major service organizations, municipal governments are upgrading their basic information systems to do just that.

In a similar vein, governments are investing in systems to decrease the cost of providing services. And some technologies allow services that would otherwise be unaffordable: through cable franchises, cities can afford a government access channel, where the acquisition of a broadcast station would have been both spectrum- and cost-prohibitive. And these franchises have enabled many cities to operate "I-Nets" connecting public facilities — such as schools, libraries, and government facilities — offering improved government services and reduced costs.

Finally, governments are upgrading their internal support systems to improve operations, meet expanding administrative and legal requirements and to lower costs wherever possible. Integrated human resources and payroll systems, emergency response systems, and computer aided dispatch are but a

A study released in 1998 reported clear, and not surprising, delineations of computer penetration based on household income: those with money had access to the information infrastructure; those without, don't or can't get online. It would appear that the makeup of our communities is becoming more stratified, not more unified. And local governments deal first, and first-hand, with the deleterious effects of such stratification.

few examples.

Clearly, the business of government requires telecommunications. The bandwidth requirements of advanced applications require robust, wide-area networks for connectivity. Government's need for technological access to locations throughout a community has led to the growth of typically fiber-rich, municipal area networks or "MAN's."

As increased bandwidth need is coupled with the dissolution of monopoly providers, local governments have a responsibility to explore all options to best plan for the most affordable and most useful network that will meet present and future needs and budgets. For a city, these options can include buying network services from retail or wholesale providers; or building and operating its own network.

Or cities can combine these two options by entering into either joint public/private ventures, or by offering services on their network for sale to the public — becoming a service competitor. Some cities are stepping boldly onto the field of competitive battle, wrestling for consumer's cash, and, at times, even seeking publicly supported financing for capitalization and operation of phone, cable, data transport, and internet services. Are these appropriate government functions? That answer depends not only on the needs of the community, but on the character of the governmental entity.

As an economic development strategy, it is clearly within a local government's interest to assure that the community enjoys the best possible telecom services at competitive prices, both to

meet the growing information needs of its residents and to serve as an attraction for new knowledge-based businesses. To economic development strategists, telecom networks today offer urban and rural locales the advantages offered yesterday by the railroad, an airport, a stadium, or a redeveloped downtown theatre district.

Why would a city seek to compete with private enterprise in telecom services? After all, the industry is very dynamic, both technologically and financially. As organizations, municipal governments are not known as "lean and mean" service providers. What can they possibly offer to the telecommunications consumer that private enterprise cannot?

The simple answer to that question is: Probably nothing. However, the question should be framed somewhat differently: What can municipalities possibly offer to the telecommunications consumer that private enterprise will not offer? The answer to that question is not simple. For one thing, it depends on the consumer. If the consumer is poor and the service is Internet access, the need may not be met by the market place — period. If the consumer is a small business and the service is a very high-speed data line, the need may not be met by the market place at a price the consumer can afford. The overall community well-being can suffer in the absence of service, or of affordable service.

The decades-old concern about information "haves vs. have-nots" is now a measurable trend. A 1997 study found that higher percentages of ethnic minorities were unfamiliar with the internet

than whites. A study released in 1998 reported clear, and not surprising, delinquencies of computer penetration based on household income: those with money had access to the information infrastructure; those without, don't or can't get online. It would appear that the makeup of our communities is becoming more stratified, not more unified. And local governments deal first, and first-hand, with the deleterious effects of such stratification.

To prevent damaging social consequences, a city may incorporate telecom services into its solutions. Some provide computer access, email addresses, and Internet access through libraries and community centers. The debate over the appropriateness of a government-owned network should focus on a few key

issues. The first: What is the nature of the municipal authority? Does it have the experience, the culture and the human resources to operate an advanced telecommunications network? The second issue: What is the constituency being served and can its needs be met best by the private markets? The third issue: Is it fair to have the authority that manages the rights-of-way compete with users of the rights-of-way?

Addressing the last issue first, it seems clear that a municipality that coordinates its regulatory role with its competitive role for the purpose of aiding its own success in the market place to the detriment of private competitors could face antitrust liability. While this is a legitimate issue for debate, most municipalities and their attorneys are very cognizant of their exposure and will not venture forth into the competitive environment until appropriate safeguards are in place.

As for the nature of the municipal authority, if the municipality operates its own utility enterprises, it may well have the culture and the human resources to construct and manage a MAN. In contrast, if the municipal authority has no experience in providing utility services directly to paying customers, then it may be difficult for the organization to manage a competitive telecom network.

However, since many cities that do not operate utilities do lease real property to private entities, it may be deemed an acceptable risk for such a city to build infrastructure, like conduit in the rights-of-way, for the purpose of leasing it to competitive telephone and cable companies. The unique character of each city must be considered.

If information is truly an essential service, then governments have a traditional role to fulfill — making certain that this essential service is available to everyone, at prices that will enable all but the most disadvantaged to partake without subsidy.

Some providers have responded to the perceived threat of municipal competition by seeking legislative relief in the form of state laws prohibiting the con-

struction of municipal networks. The irony of this approach is apparent. Carriers and operators that should have an overwhelming competitive advantage in terms of human resources, organizational structure, market experience, motivation and existing market share have eschewed competition for protection from a higher governmental authority.

Whether or not a city chooses to enter into the competitive market, either

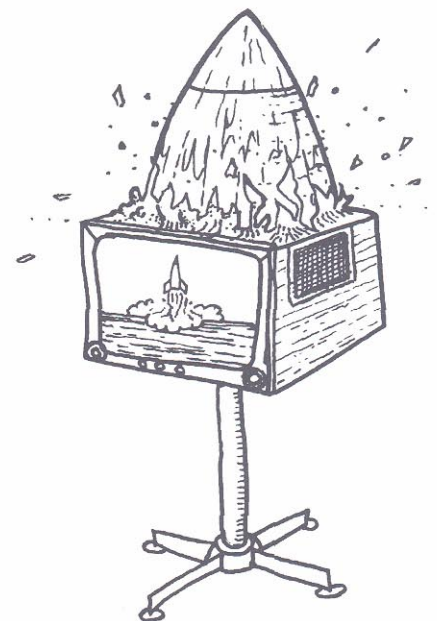
at the wholesale or retail market — through public/private ventures, or through direct sales to businesses and residents — is a serious question requiring thorough and thoughtful analysis. This is not a decision that should be dictated to cities from another distant authority, or an industry seeking competitive protections. It is an appropriate debate for any community.

Governments are often criticized for being slow-moving, costly, bureaucratic behemoths. Clearly, we should applaud the innovators who seek to do the business of local government better. Can these innovators succeed in a competitive telecommunications world? Some may, some may not. The burden of choice — to enter a market or not — is great for local government, worthy of extensive local debate and careful review of market conditions, community needs,

and business factors that will determine long term success. Opportunities need to be explored: consider options for infrastructure and services; why not privatize some public services, and expand public provision of traditionally “private” services?

In an idealized world, the availability of adequate infrastructure, advanced telecom services and affordable prices will be provided in a timely manner by private companies engaged in vigorous competition. However, until consumers see that idealized world, it is most clearly in the public interest for local governments to exercise freely their right to debate, discuss, analyze, and make difficult choices about telecommunications infrastructures. Cities must have the option to explore all technology and service innovations, to do the business of government better, to preserve the economic vitality of their tax base, and to enhance the quality of life that is unique to, and uniquely defines, each community.

Brenda J. Trainor is vice president of Media Connections Group, a San Francisco-based consulting firm. She also serves on the board of the National Association of Telecommunications Officers and Advisors as PR chair and co-chair of the Advocacy and Policy committee.



Telecommunications Policy in the Public Interest

by June Holley

*A*s we discuss and debate what constitutes the public interest in the area of telecommunications development, it's useful to picture in our minds the thousands of low-income communities dotting our landscape, where people and organizations struggle daily to craft places where life is healthy, safe, and basic needs are met. These communities, whether in an urban ghetto or hidden in the hills of Appalachia, are like the canary in the coal mine – the damage they experience is a harbinger of worse to come for the entire society. Perhaps we can best approach issues of information access and equity by asking: how can telecommunications policy support the creation of healthy communities, and as it does this, help bring forth a healthy world?

We are talking here about transformation – rapid, basic change in our social landscape. We know that change can happen very rapidly. The last two decades of development in the telecommunications and information arenas are certainly an example of the breathtaking pace at which new technologies can stream through our society.

Most often change courses by us, seemingly out of our control, massive, undefinable. Yet the last decades have also seen extraordinary breakthroughs in our understanding of change processes. Scientists in many fields are developing the artful science of complex adaptive systems (including current trends in chaos theory), which describes transformative change in complex systems. However, very little of this understanding has been applied to the study of complex systems such as telecommunications and information infrastructure, let alone the structure of society as a whole. We urge policy makers to draw from the tremendous wealth of knowledge in this field as the basis for telecommunications policy truly in the public interest.

In human systems, the primary medium of transformation is relationships. Very simply put, the fastest way to produce beneficial change in a human system is to change who is relating to

whom. Many of the problems with which we are currently struggling are due to isolation and separation of groups and individuals from others who are different from them. The world is speckled with monocultures of people, and yet to spark the creativity needed to solve the problems facing us today, we must have social fields seeded with a broad diversity of perspectives, ideas, and experience.

We are convinced that we can generate tremendous positive change in a very short period of time by enabling people who don't normally interact, due to differences or distances, to begin dialogues that enable them to find common interests and organize joint projects. When we evaluate telecommunications policy we need to first examine whether the policy encourages these creative community-building processes. Putting communities first in the process of re-inventing our information infrastructure will lead to transformed and healthier communities and society.

Specific features of a communities-first telecommunications policy and process follow:

(1) Telecommunications policy needs to support interactive processes that enable people in communities to experiment, create, and then continually improve what they have created.

(a) The information infrastructure needs to build on existing human networks anchored in neighborhoods and communities. It needs only to amplify, not create, these networks.

(b) It needs to link individuals in these communities to others in the community with whom they seldom interact as peers. Our experience has shown that when small groups representing broad spectrums of society – and always including people with low incomes – get together to design a new program or service, it's significantly more effective than any created by a single group.

(c) It needs to link communities to other communities around the world so that all have access to a thick portfolio of provocative ideas and nourishing resources.

(2) Telecommunications policy needs

to provide for facilitation of these creative processes. People anchored in the community can link people with similar interests or needs and assist groups of people who are discussing an idea online or through interactive video to move it into implementation.

3) It needs to support learning processes. People who have accomplished something together must be encouraged to share their successes (and even more important, their failures) with others so that learning can occur rapidly and spread throughout the system.

(4) It needs to link communities and the firms in them to new, emerging markets since the availability of jobs that are creative, engaging, and well-paying is the foundation of healthy communities. It needs to encourage schools, banks, social service agencies, and community groups to work collaboratively to design specific projects to support new job creation and firm expansion – through custom designed training programs, transitional support, access to capital programs, modernization programs, and marketing support. In this scenario, social and governmental services are no longer a stand-alone phenomenon that unwittingly fosters dependence, but a set of concrete, customized services to support people and firms transitioning into the mainstream economy.

5) Telecommunications policy needs to invest in communities, rather than establish a whole new set of rigidly defined and implemented government services. Transformative processes can occur in many different ways, and in the long term many of the processes can work on a market basis. Communities need to be supported as they develop information and communication systems that grow from their history and meet their needs – as they identify them. Communities need to be the ones designing the telecommunications system that serves their community. Telecommunications systems need to be customizable and capable of ongoing modification as the community changes and flourishes.

Designing Telecommunications Infrastructure to Revitalize Regional Economies

A presentation before the State of New York Task Force on Telecommunications

by June Holley

The Appalachian Center for Economic Networks (ACEnet) is an innovative economic development organization located in southeastern Ohio. Currently, ACEnet is implementing several projects designed to revitalize the regional economy, all involving flexible manufacturing networks (FMNs). FMNs bring together groups of small firms to collaboratively manufacture items for custom or niche markets that they couldn't produce by themselves.

The European Model

The design of a telecommunications infrastructure that will support and link small manufacturers is a key strategy for economic revitalization. Such an effort needs to begin with an understanding of the dynamic changes occurring in the world economy. This paper describes communities where small manufacturers have flourished by responding creatively to these changes, and then outlines a strategy in which telecommunications is used to help firms in the U.S. replicate those successes.

In parts of Europe and Japan, certain regional economies – characterized by a strong small manufacturing firm presence – have generated thousands of new jobs and businesses and have substantially increased the standard of living through the formation of FMNs. For example, in the city of Modena in northern Italy, the number of firms increased from 4,000 in 1950 to 24,000 in 1985. The region of Emilia-Romagna, in which Modena is located, moved from 17th to 2nd in per capita income in Italy between the years of 1970 to 1985, and now has one of the highest standards of living in Europe.

This dramatic revitalization is linked to a whole range of innovative relationships which small manufacturing firms have created within their organizations, with other firms, with other institutions and with government. In virtually all of these regions, small firms gain significant degrees of flexibility and are able to respond to high-value niche markets through their ability to quickly form networks, alliances or partnerships. In addition, other community groups and the government are also drawn into the network.

For example, in northern Italy trade associations and regional governments have worked together to create and administer a number of specialized service centers that support particular sectors or meet FMN needs. North Jutland Amt, the county on the northern tip of Denmark, implemented a broad spectrum of initiatives in order to see what would be most effective. This program was jointly designed by the county industrial council, municipal and other development officers, technology information centers, trade unions and associations, vocational schools and the local university.

Some government programs make collaboration a condition for eligibility. In February of 1989, the Danish Minister of Industry and Trade allocated \$25 million in grant funds to sup-

port network based activities among small and medium sized firms. Less than eighteen months later, more than 3,000 of Denmark's 7,300 industrial firms were participating in manufacturing networks.

Unfortunately, the blossoming of highly productive forms of networking among small manufacturing firms in Europe and Japan is not occurring with equal intensity in the United States. As Robert Howard points out in the Harvard Business Review:

The relative lack in the United States of small-business networks and the infrastructure to support them goes a long way toward explaining why, with a few exceptions, the small-manufacturing sector in the United States lags behind that of other major industrial nations. Ironically, while many in the United States have been celebrating small business, other countries – in particular, Japan and West Germany – have been using public policy to make small manufacturing a powerful asset of international competition.

Transforming U.S. Economies: Change in Five Dimensions

Why have these changes not taken place in the U.S.? Robert Reich lists inadequate communications infrastructure and technological transfer as two of four barriers impeding the transformation of U.S. industry to a more flexible, market-responsive system based on small batch production for market niches.

The use of telecommunications and supportive telecommunications policy development can play a key leveraging role in transforming small manufacturers. However, it is essential to understand that a supportive telecommunication policy will not simply add the latest telecommunications technologies to individual firms. To gain the dramatic economic benefits that are seen in Europe, telecommunications policy will have to be part of a fundamental transformation of the nature of small-scale manufacturing.

This transformation takes place in at least five dimensions. The relationships

- ▲ between firms and the market,
- ▲ inside firms,
- ▲ among firms,
- ▲ with the wider economic community, and
- ▲ with local, state and the federal government all need to change.

First, firms must change their relationship with the market. Firms need to learn how to benefit from the opportunities presented by emerging markets before they can adequately assess their telecommunications needs or use the technology well. As mass markets continue to divide and subdivide into increasingly specialized niches, firms need to look for emerging areas of human need and produce products which meet those needs. For example, in our project, eight firms work together to produce motorized, adjustable kitchen cabinets for people with disabili-

ties and elders. Access to online services which provide market trend information and to computer services that facilitate ongoing online dialogues between sets of small firms in a community and final markets around the world are two examples of how telecommunications can enable firms to identify and meet emerging needs quickly and profitably.

Second, firms must change internally. There needs to be a radical transformation of the way workers work with each other, interact with employers, and engage with machines and other technologies. These internal changes will make it possible for the firms to respond quickly to new markets and other opportunities. Telecommunications systems paired with groupware can make it possible for employee work groups to make better decisions faster, and to share the results of that decision making with distant partners.

Third, the relationships among firms must change as they begin to collaborate in order to compete. In the ACEnet flexible manufacturing network project a woodworking firm, a machine shop, an electronics company, an assembly firm and an installer collaborate to manufacture the adjustable kitchen cabinets. Some of these firms are geographically remote from one another. Telecommunications applications can assist collaborating firms to coordinate their production and to carry out other joint projects such as joint marketing or scheduling shared facilities.

Fourth, the transformation within the firms needs to be a co-evolutionary process, transforming the economic development community as well. The connection between the small manufacturing firms and other community institutions (including telecommunications providers, other utilities, the educational system, bankers, economic development organizations, community groups, and business service providers) must be reformulated by their participation in joint projects to meet the needs of the firms. For example, ACEnet is organizing a project where groups of firms, a technical school, and local telephone companies are working together to establish the infrastructure so that the firms can easily coordinate joint production through a virtual LAN. Telecommunications can be a powerful tool to accelerate the rate of learning that occurs through these joint

action projects.

When a problem or need of groups of small manufacturers is identified, key economic development organizations are brought together with firms to design a new program or service targeted directly to meet that need. The result is the rapid modernization of small firms engaged in a continual improvement process. The stakeholders not only design and implement new programs and services, but also evaluate, reflect upon, and revise their efforts to accommodate their own learning and rapid change. In this paradigm, the term continual improvement is not simply applicable to production processes or customer satisfaction, but can describe the learning processes of entire firms, industries, organizations, governments and the telecommunications industry. Using computerized forums for area-wide discussions, this learning can spread rapidly among all those involved.

Fifth, as all of these relationships are in the process of transformation, the relationship between the firms, the economic development community, and government must also change. As the firms and their institutional partners learn and change, government needs to be ready to support their efforts by learning and changing itself. Programs of the state and federal government need to be ready to incorporate the learning occurring at the local level in their own program planning. The key to this entire process of design is that programs are set up with change and improvement in mind. Furthermore, state governments can play a proactive role in the whole process, modeled on the European system of flexible government support for networked firms and their community collaborators.

Transforming U.S. Economies: A Policy Recommendation

We recommend that state governments interested in creating economically healthy communities begin by developing a transformative telecommunications infrastructure. The first step in this process is to initiate several sub-state experiments to explore how telecommunications can support a set of small manufacturing firms, and then use these experiments to create a broader telecommunications policy for the state. These experiments will not be "stand alone" telecommunications initiatives, but com-

prehensive economic development strategies with telecommunications systems development as a major component.

Governments interested in jump-starting such a process of change should select a small number of sub-state regions (cities, clusters of neighborhoods or counties) to begin the process of design, experimentation, learning and continual improvement. Here the most innovative small firms from a variety of industries and the economic development community, including both large and small telecommunications service providers, will work jointly to revitalize manufacturing in the area.

Because this is a complex ongoing process, the second key step is to determine who will facilitate the process over time. Each successful substate region needs a facilitating intermediary, most often a non-profit involved in economic development activities, who guides the stakeholders through the simultaneously occurring process of experimentation and learning. The combination of a tight focus on just a few projects and the presence of a facilitating intermediary will insure the degree of success for natural dissemination throughout the state and the region.

We now work with two other facilitating organizations located in West Virginia and Kentucky. The three projects focus on very different market niches (products for people with disabilities, furniture for European export, and "green" clothing), and are at different levels of development, yet we are working together on regional telecommunications issues affecting the coordination of joint production.

Government's ultimate role is to carry the success stories, the less-than-success stories, and the lessons learned to other communities. Through this strategy, the problem of technology diffusion in the area of telecommunications will solve itself as new forms of business give rise to new technologies and ever expanding markets across the state.

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The Civil Rights Forum and Community Technology Centers' Network Join in Telecommunications Public Policy Project

by Peter Miller

Through a new program funded by the W.K. Kellogg Foundation called "Managing Information with Rural America" (MIRA), the Civil Rights Forum (the Forum) based in Washington DC and Community Technology Centers' Network (CTCNet) headquarters in Boston, MA, will be providing rural communities and programs interested in telecommunications policy with a number of resources for their work.

The partners will assist communities in developing and implementing specific communications public policy projects, involve the rural communities in the national and state communications policy debate, create and manage an on-line public policy school which will serve as an ongoing resource to all rural communities and other grassroots communications organizers, and re-distribute grants totaling \$70,000 to rural CTCNet affiliates over two years.

Through the regranting process, CTCNet and the Forum will provide \$1,000-3,000 mini-grants to rural community media projects. These grants will allow affiliates to create and implement public policy projects which complement their existing programs. These projects will be designed to connect the affiliates' local experiences to the broader policy issues that affect rural communities and general issues of equity and access, and equality in telecommunications policy. Thus, in addition to stand-alone policy projects, literacy and job training programs will be encouraged to develop letter-writing to legislators and regulatory agency members as integral program components, and public presentations before appropriate bodies can also be developed as appropriate citizenship and life skills training. Successful grantees will be provided funds to capture their learnings and design effective tools for communicating those lessons.

A growing number of Alliance for Community Media-affiliated PEG access centers that are expanding their community media offerings to include access to computers and the Internet are members of CTCNet, and all rural programs will be encouraged to apply for \$1,000-3,000 minigrants to help develop their work in telecommunications policy.

These projects will be designed to connect the affiliates' local experiences to the broader policy issues that affect rural communities and general issues of equity and access, and equality in telecommunications policy. Thus, in addition to stand-alone policy projects, literacy and job training programs will be encouraged to develop letter-writing to legislators and regulatory agency members as integral program components; public presentations before appropriate bodies can also be developed as appropriate citizenship and life skills training. Successful grantees will be provided funds to capture their learnings and design effective tools for communicating those lessons.

The work of these affiliates will be coordinated on the CTCNet side by Peter Miller (peterm@ctcnet), former Network Director. He will assist local affiliates in managing their project initiatives as well as provide general CTCNet support to them. The overall goals are to expand the general support and base of community technology centers in rural areas, help them develop specific programs with a telecommunications policy emphasis, and provide the resulting resources to other efforts supported by the Kellogg MIRA program and elsewhere.

The Civil Rights Forum will manage the creation of an online policy school for rural communities.

The policy school will provide online group and individual interactive courses on policy issues. Its goal at the end of this initiative is for each of the CTCNet affiliates and the MIRA communities to have developed their own course for the policy school. In this way the project will begin to create a Digital Folk School where the stories and learnings of each community are presented in an environment that supports on-going learning.

For more information about the project, visit the web site at <http://www.ctcnet.org/mira>.

CTCNet Assistance

CTCNet is the largest affiliation of community-based technology centers serving underserved neighborhoods in the country. CTCNet provides written, electronic, and in-person linkages through its web site, numerous electronic discussion lists, a monthly online newsletter, a semiannual Review and Center Start-Up Manual, national conferences and a growing number of regional meetings and workshops. CTCNet develops national and regional collaborations and partnerships that assist members in implementing responsive delivery systems to meet the needs of their participants and communities. CTCNet supports the joint acm-ctcnet discussion list which you can subscribe to by sending email to majordomo@igc.org and writing in the body of the message: subscribe acm-ctcnet.

When Malden (MA) Access TV wanted to expand its mission to include the Internet, computers, and digital media, they argued that their root purpose had remained constant but grown with the times and technology: to give people who don't normally have access to communications technologies the ways and means to express their ideas. The Forum/CTCNet grants are but one example of the kinds of opportunities that PEG access centers can take advantage of with expanded programs, and franchising is a key opportunity time to take advantage of mobilizing resources and allies for expanding in new directions.

Potential Directions

Another potential direction for expanded community media programs to explore is in the arena of providing technology assistance to nonprofits in their area. Not only do a wide range of community organizations need to learn how to take advantage of community video, they also need a range of support in planning and integrating the use of computer and Internet technology directly into their organizations. For more information about a newly developing project mobilizing resources in this arena, check out the National Strategy for Nonprofit Technology at <http://www.rfund.org/strategy>.

Resources

Organizations and Projects Pursuing Technology Equity in Low-Income Communities

Alliance for Community Technology
Katherine Willis, Director of Program Development
c/o School of Information
University of Michigan
610 E. University Avenue, Suite 4020
Ann Arbor, MI 48109-1259
Tel: 734.763.2281 / Fax: 734.647.8045
kwillis@umich.edu
www.communitytechnology.org

In an effort to address the gap between the potential of technology and the capacity of people and communities to use it to solve problems, ACT promotes the creation, use, evaluation, and propagation of appropriate technologies in support of communities.

Appalachian Center for Economic Networks (ACENet)

94 North Columbus Road
Athens, OH 45701
Tel: 740.592.3854 / Fax: 740.593.5451
www.seorf.ohiou.edu/~acenet

The Appalachian Center for Economic Networks (ACENet) connects citizens to community-based networks and entrepreneurs to new and larger markets via the World Wide Web. Using ACENet's services, which include a computer leasing program, Appalachian residents work to improve the region's impoverished economy.

AFN-Neighbor Network
c/o Austin Learning Academy
PO Box 6923
Austin, TX 78762-6923
Tel: 512.457.9194

A project of the Austin Learning Academy (www.alaweb.org), the Austin FreeNet (www.austin-free.net), and the 21st Century Project at the LBJ School of Public Affairs, University of Texas (www.utexas.edu/lbj/21cp), the AFN-Neighbor Network works with East Austin residents to create a community network with local content, nearby access sites, and training programs.

Break Away Technologies
3417 W. Jefferson Boulevard
Los Angeles, CA 90018
Tel: 213.737.7677 / Fax: 213.299.8226
www.breakaway.org

Founded by Joseph Loeb in the wake of the Los Angeles riots, Break Away Technologies started as a computer center in Loeb's garage and has grown into a 15,000-foot access center in South Central L.A. Using donated computers, Loeb runs technology classes for neighborhood residents and area schools. Break Away uses technology to teach leadership and responsibility, facilitating students' successful entry into the increasingly technology-oriented workforce.

BrookLynX
Brooklyn Information & Culture (BRIC)
(formerly the Fund for the Bureau of Brooklyn)
30 Flatbush Avenue, Suite 427
Brooklyn, NY 11217
Tel: 718.855.7882 / Fax: 718.802.9095
bklynx@brooklynx.org
www.brooklynx.org

The following pages list like-minded organizations and projects involved in communications and technology. Special thanks to the Benton Foundation for providing their listing. For more on the Benton Foundation, contact them at:

*1634 Eye Street NW, 12th Floor
Washington, DC 20006 USA
tel: 202.638.5770 / fax 202.638.5771
email: benton@benton.org
WWW: www.benton.org*

Supports artistic, cultural, and informational community projects for Brooklyn, New York, hosting such events as the yearly Celebrate Brooklyn Arts Festival, Brooklyn Community Access Television, and the Meet Me in Brooklyn cultural tour. BrookLynX, one of the organization's projects, acts as a community network and, with the help of a TIAP grant, is connecting three community computing centers to the Internet and assisting in the development of a staff training program and web pages for each center.

California Telecommunications Policy Forum

Armando Valdez, Chair
210 San Antonio Circle, Suite 152
Mountain View, CA 94022-1234
Tel: 650.917.6600 / Fax: 650.917.6601
AValdez@aol.com

California Telecommunications Policy Forum is a communications network for community leaders in California among low-income and Latino neighborhoods. Initially supported by a grant from the Telecommunications Education Trust (TET), the Forum spearheads dialogues on the roles activists in California might play in policy development, particularly telecommunications policy, to ensure that their communities are served rather than excluded by new communications infrastructures. See also "Staking Out the Public Interest in the Merger Between Pacific Telesis and Southwestern Bell Corporation" (www.ucan.org/ucan/news/white_1.htm).

Charlotte's Web

Steve Snow, Executive Director
119 E. Seventh St.
Charlotte, NC 28202
Tel: 704.332.1610
shsnow@charweb.org
www.charweb.org

Charlotte's Web is a regional interactive telecommunications network in Charlotte, North Carolina. In addition to affordable Internet access, the service provides low-cost community training courses, and local community information terminals.

Community Technology Centers Network (CTCNet)

Peter Miller, Network Director
55 Chapel Street
Newton, MA 02158
Tel: 617.969.7100 / Fax: 617.332.4318
ctcnet@edc.org
www.ctcnet.org

CTCNet is a membership organization of over 250 computer access centers in the United States, which may be partnered with schools, museums, community centers, or churches. All promote the idea of equitable access to technology. CTCNet provides policy updates, advocacy information, training opportunities, and financial tips.

Community Technology Institute
Patricia Barry, Executive Director
PO Box 61385
Seattle, WA 98121
Tel/Fax: 206.441.7872
info@cvm.org
www.cvm.org

Community Technology Institute seeks to improve the delivery of social services and relieve human suffering through their Community Voice Mail program. CVM now operates in 25 cities including Boston, Houston, Los Angeles, and Spokane bringing community-wide access to voice mail for an estimated 15,000 homeless or phoneless people every day.

Computers in Our Future

3580 Wilshire Boulevard, Suite 1660
Los Angeles, CA 90010
Tel: 213.368.2373 / Fax: 213.368.2371
ciof@aol.com
www.compfuture.org/compfuture

Recognizing that more than half of all new jobs require technology literacy, and that information literacy costs California business an estimated \$4 billion annually, the California Wellness Foundation established Computers in Our Future, a \$6 million, five-year initiative to develop 11 community computer training centers in low-income neighborhoods across California. Partners include Community Partners, The Children's Partnership, and CompuMentor.

Downtown Neighborhood Learning Center

Marcia Newman, Executive Director
Margaret Quintana, Program Manager
1001 West Jefferson Street
Phoenix, AZ 95007-2913
Tel: 602.256.0784 / Fax: 602.256.2524
dnlc@swlink.net
www.swlink.net/~dnlc

DNLC, located in downtown Phoenix, Arizona, is an adult education program serving homeless and other disadvantaged adults. Services include community voice mail, basic adult education, GED diploma preparation, career testing and computer literacy and Internet skills.

Eastmont Computing Center/ OCCUR

David Geilhufe, Director
7200 Bancroft Avenue
Suite 209, Eastmont Town Center
Oakland, CA 94605-1970
Tel: 510.382.0555 / Fax: 510.268.9065
geilhufe@hooked.net
www.eastmont.net

The Eastmont Computing Center currently provides high school students with 18 months of training and placement services to transition youth into information technology employment. We also provide connectivity and technical resources to the local community supporting schools, libraries, and churches in addition to our own public computer and Internet access site.

Eiffel Project

Bruce Lincoln, Manager of Community Outreach and Development
Institute for Learning Technologies (ILT)
Columbia University
525 West 120th Street, Box 144
New York, NY 10027
Tel: 212.678.4000 / Fax: 212.678.4048
info@ilt.columbia.edu
www.ilt.columbia.edu/eiffel

Funded by a U.S. Department of Education Challenge Grant, the Eiffel Project is a collaboration of ILT, the Center for Collaborative Education, and the New York City Board of Education, that seeks to improve dramatically the educational experience of disadvantaged children in urban schools.

Email for All Campaign

International Advisory Group
875 Avenue of the Americas, Suite 1005
New York, NY 10001
Tel: 212.268.1443 / Fax: 212.268.1113
iaclaa@aol.com
www.iaginteractive.com/emfa/about.htm

This new project of the Markle Foundation seeks to encourage the use of new communications technologies for socially beneficial purposes. In May 1998, the campaign "hosted" an online conversation about four themes pertaining to universal service: Universal E-Mail, Universal Internet, Networking Communities, and Private and Public Roles. Archives and reports from the event may be found at
www.iaginteractive.com/emfa/uac.htm.

Gates Library Foundation

P. O. Box 3189
Redmond, Washington 98073
Tel: 425.882.1200 / Fax: 425.556.0218
info@glf.org
www.glf.org

The Gates Library Foundation was formed by Bill and Melinda Gates to provide public libraries in low-income areas with the computer equipment required for community access to digital information. In addition, the foundation supports training and technical assistance to library staff members to effectively manage computer systems, use digital information, and provide appropriate assistance to their patrons. An earlier Microsoft project, Libraries Online! (www.librariesonline.org), provided grants, training, and technical assistance to public libraries, enabling them to offer public access to personal computers and the Internet. This \$15 million project benefited libraries in 260 communities in the United States, Canada, and Ireland between 1995 and 1997.

Inner City Youth Technology Program

Brenda Atkins Lockley, Executive Director
Neighborhood Housing Services, Inc.
901 Western Avenue
Pittsburgh, PA 15233
Tel: 412.321.0121 / Fax: 412.321.6411 or
Chuck Half, Funding Coordinator
Tel: 412.487.4545 / Fax: 412.487.2894
chalf@ctronsoft.com

A project of Pittsburgh's Neighborhood Housing Services, Inc., the program provides free neighborhood access for middle school children to desktop computing, Internet, and multimedia technologies. Piloting in Pittsburgh this summer (1998), if successful, NHS plans to offer the service to other cities across the nation.

International Education and Resource Network (I*EARN)

Lisa Jobson
475 Riverside Drive, Suite 540
New York, NY 10115
Tel: 212.870.2693 / Fax: 212.870.2672
iearn@iearn.org
www.iearn.org

I*EARN, which has been pioneering the use of

communications technology for education since 1988, has recently created an initiative that involves youth previously excluded from the Internet namely those young people who are institutionalized, not enrolled in schools, homeless, runaways, or orphans. Working with P.S.106 run by Covenant House in New York, the Fourth World Movement, and Harlem and South Bronx church groups, the program uses I*EARN's existing international network of educators and students to provide technical skills and educational opportunities that might otherwise be unavailable.

Kids Computer Workshop

Norman Eisen, President
1201 Connecticut Avenue NW
Washington, DC 20036
Tel: 202.778.1824 / Fax: 202.822.8106
www.kcw.org

Kids Computer Workshop brings technology and mentoring to Washington's at-risk children, teaching computer skills with a focus on activities that develop literacy and critical thinking. The project provides a safe, supportive place during out-of-school hours where young people are exposed to positive rolemodels and can build confidence and self-esteem.

Legal Aid Society of Dayton

Ellis Jacobs, Litigation Director
Telephone & Technology Access Project
333 W. First Street, Suite 500
Dayton, OH 45402
Tel: 513.228.8088 x111 / Fax: 513.449.8131
ejacobs@donet.com

Jacobs represents low-income community organizations in telecommunications proceedings before the Ohio Public Commission and the FCC. He also chairs both the Ohio Community Computing Center Network, which administers the Ameritech Settlement Community Computing Friends, and the Universal Service Assistance Advisory Committee, which oversees a telephone lifeline program in Ohio.

LUV/MUSIC

Linking Up Villages
33 Algonquin Street
Dorchester, MA 02124
Tel: 617.436.8048 / Fax: 617.282.2020

Linking Up Villages (LUV) is a project designed to reinvigorate communities through local electronic bulletin boards and software called Multi-User Sessions in Community (MUSIC). MUSIC software allows users to walk through a "virtual neighborhood," obtaining information on community services and events. LUV sets up networks and gives free software to needy communities. They finance their efforts partly with revenues produced from selling their software to companies and communities that can afford it, and partly through grants received from sources like the Department of Commerce's Telecommunications Information Infrastructure Assistance Program (TIILAP).

MCI Library Link

Christa Poston (MCI public affairs)
Tel: 202.887.2757
www.librarylink.com

Between 1993 and 1998, MCI has awarded over \$1 million in technology grants to 400 public library branches to fund technology projects. "As a leading Internet provider, MCI understands that limit-

ed public access is one of the greatest barriers to a community realizing the benefits of advanced communications technology," said Timothy F. Price, President and Chief Operating Officer of MCI. "Through the LibraryLINK program, MCI is empowering our nation's libraries and the communities they serve with access to information technology."

National Consumer Law Center

18 Tremont Street, Suite 400
Boston, MA 02108
Tel: 617.523.8010 / Fax: 617.523.7398 or
1629 K Street, NW, Suite 600
Washington, DC 20006
Tel: 202.986.6060 / Fax: 202.463.9462
consumerlaw@nclc.org
www.nclc.org

Founded more than 25 years ago at Boston College School of Law, NCLC's staff of 11 attorneys addresses the legal problems faced daily by low-income and financially distressed families, ranging from repossessions, debt collection abuses, home improvement frauds, usury, and bankruptcy to utility terminations, fuel assistance benefit programs, utility rate structures, and utility deregulation. They have a substantial library of reports and newsletters pertaining to consumer rights in the area of energy and utility, although the full text of their reports is only available by purchasing hard copies.

National Urban League

B. Keith Fulton, Director
Technology Programs and Policy Department
120 Wall Street
New York, NY 10005
Tel: 212.558.5300 / Fax: 212.344.5332
bkfulton@nul.org
www.nul.org

Founded in 1910, the National Urban League is the nation's premier social and civil rights organization. The League has operated technology-based initiatives in low-income communities since 1968. Through its 115 Urban League affiliates in 34 states and the District of Columbia, the League promotes advocacy and program services focusing on the social and educational development of youth, economic self-sufficiency, and racial inclusion. The League's Technology Programs and Policy department was founded in 1996 to bring the benefits of information and communications technology to low-income citizens.

National Urban Technology Center

Carol Lawrence, Director of Administration
1204 Third Avenue, Suite 124
New York, NY 10021
Tel: 718.398.4525 / Fax: 718.398.4470
contact@cfs.urbantech.org
www.urbantech.org

This nonprofit organization seeks to prepare inner-city communities for full participation in the Information Age by helping them create technology and telecommunications infrastructures, and establish community training centers with computer courses and technical support, a Youth Leadership Academy that provides teens school-to-work opportunities, and a computer repair training program. Their website also acts as a type of community information network, a doorway to the Internet for the people they serve.

continued on following page

Neighborhood Networks

U.S. Department of Housing
and Urban Development
9300 Lee Highway
Fairfax, VA 22031
Tel: 888.312.2743 / Fax: 703.934.3156
nnetworks@icfkaier.com
www.hud.gov/nnw/nnwindex.html

If all goes according to plan, this HUD-sponsored program will result in HUD-supported housing developments equipped with computer workstations, linking residents with educational and job training programs, microenterprise and telecommuting opportunities, and improved access to health care, wellness, and community and social service programs.

Neighborhoods Online

Institute for the Study of Civic Values
1218 Chestnut St., Rm. 702
Philadelphia, PA 19107
Tel: 215.238.1434 / Fax: 215.238.0530
Edcivic@libertynet.org
www.libertynet.org/community/phila/nol.html
http://www.libertynet.org/~edcivic/iscvhome.html

The Neighborhoods Online network, founded in 1992, provides local updates and calendars for activists in Philadelphia and links to data sets, resources, and other community organizing groups for activists nationwide. Ed Schwartz initiated Neighborhoods Online while at the Institute for the Study of Civic Values, an organization dedicated to the study of grassroots organizing.

Ohio Neighborhood Resources Page

(formerly Urban University and
Neighborhood Networks)
uac.rdp.utoledo.edu/DOCS/UUNN/UUNN.HTM

The UUNN was a cooperative venture of 7 urban universities and more than 60 neighborhood-based organizations (NBOs) representing the Ohio cities of Akron, Cleveland, Cincinnati, Columbus, Dayton, Toledo, and Youngstown. While the UUNN has formally ended, the University of Toledo Urban Affairs Center maintains a variety of services to support neighborhood organizing and development in Ohio. The paper referred to in this report, "Limited Access: The Information Superhighway and Ohio's Neighborhood Based Organizations" (<http://uac.rdp.utoledo.edu/DOCS/UUNN/access.htm>) describes UUNN's work to study NBOs and how the Internet could improve their functioning.

Old North End Community/Technology Center

Chittenden Community Television (CCTV): Old
North End Community/Tech Center
294 North Winooski Avenue
Burlington, VT 05401
Tel: 802.862.3966 / Fax: 802.860.2370
onectc@cctv.org

ONE C/TC is a "learning network" established in Burlington, Vermont, based on the South Bristol Learning Network (SBLN) model. Like the SBLN, ONE C/TC started by recruiting the unemployed and instructing them to become the trainers and staff of the ONE C/TC technology training centers. At the technology training centers, the economically disadvantaged members of the community can acquire the knowledge and skills they need to get back on track in a job market that puts a very high value on computer skills.

Plugged In, Inc.

Bart Decrem, Executive Director
1923 University Avenue
East Palo Alto, CA 94303
Tel: 415.322.1134 / Fax: 415.322.6147
www.pluggedin.org

Located in one of Silicon Valley's poorest communities, Plugged In runs an after-school program for elementary school children, and from 5 until 9 p.m., teenagers can take classes or work on projects at the center. Plugged In has a for-profit arm, called Plugged In Enterprises, which is run primarily by area teens. Among other things, Plugged In Enterprises provides assistance with tasks such as resume writing and Internet searching, designs websites for local businesses, and is developing multimedia applications and programs.

Public Web Market

development.civicnet.org/webmarket

The Public Web Market, sponsored by the Center for Civic Networking, supports regionally-based microenterprise and economic development in depressed regions of the country by assisting community-based organizations and small business in the use of electronic commerce.

Schools and Libraries Corporation

1023 15th Street, NW
Washington, DC 22205
Tel: 202.289.2663 / Fax: 202.289.7836
www.slcfund.org

The Schools and Libraries Corporation is a not-for-profit group administering the new "e-rate" program to bring discounted telephone service and Internet connections to schools and libraries.

South Bristol Learning Network/ CyberSkills Association

South Bristol College Hartcliffe Centre
Hartcliffe, Bristol, UK B513ORJ
Tel: 44.117.946.5403 / Fax: 44.117.964.1021
www.sbln.org.uk

The South Bristol Learning Network (SBLN) was created by John O'Hara to reanimate the workforce of the economically depressed region of South Bristol, England. In September, 1993, O'Hara used a one-million-dollar challenge grant he had received from the British government to train 50 long-term unemployed residents of South Bristol in information technologies. The newly trained staff evaluated local groups and businesses and went on to give presentations and workshops on how these groups could make new technologies work for them. O'Hara is now focused on replicating the design and success of the SBLN elsewhere in England, Europe, and the United States through CyberSkills workshops.

Stockyard Area Development Association (SADA)

ComputerOwnership for Neighbors
3288 West 58th Street
Cleveland, OH 44102
Tel: 216.631.1270
stockyards@juno.com
little.nhlink.net/nhlink/sada

In the summer of 1995, SADA began a neighborhood development project that provides low-cost computers and affordable Internet access to their community's low-income residents. They have provided over 200 computers, and have been successful in getting dial-up Internet access through a local PC users group and the Cleveland Public Library. The project is currently setting up their own community network.

Tech Center

Tent City, 359 Columbus Avenue
Boston, MA 02116
Tel: 617.578.0597 / Fax: 617.578.0755
tentcity@juno.com

Tech Center, a joint project of Tent City Corporation and The Massachusetts Institute of Technology (MIT), provides free or low-cost access to all aspects of information technology. They focus in particular on reaching previously disadvantaged communities. Programs include an after-school program to assist with homework, an open access evening program for adults to hone applications skills or update their resumes, and a network administrator program that teaches how to build, repair, and maintain computers. For every four computers a student fixes, she or he may take one home.

Union City Schools

Gary Ramella
3912 Bergen Turnpike
Union City, NJ 07087
gramella@union-city.k12.nj.us

The combination of desperately needed curriculum reform in the Union City School District and Bell Atlantic's willingness to provide the schools with multimedia on-demand interactive applications resulted in one of the most successful and talked-about public/private educational technology partnerships. The report referred to in this document, "Union City Interactive MultiMedia Education Test Trial," may be found at www.edc.org/CCT/ccthome/tech_rept/CCTR3

United Neighborhood Houses of New York, Inc.

Michael Roberts, Director, Information
Technology Initiative
70 West 36th Street, 5th Floor
New York, NY 10018-8007
Tel: 212.967.0322 / Fax: 212.967.0792
mroberts@unhny.org
www.unhny.org/unh/iti.html

UNH began its Information Technology Initiative in order to accomplish two goals: to consolidate recordkeeping among settlement house programs so that case workers can spend more of their time with their clients; and to provide "safe, supportive, friendly telecommunications-based resources for community use." Since that time, UNH has facilitated the introduction of computers and educational software to a countless number of community members, and more than 29 settlement house programs have integrated computers into their services.

Virtually Wired

Coralee Whitcomb, Founder
19 Temple Place
Boston, MA 02111
Tel: 617.542.5555
info@vw.org
www.vw.org

Virtually Wired, a community access center in downtown Boston, provides services such as computer training and web classes.

West Oakland Housing

Oakland, CA

The city of Oakland, in partnership with IBM and Bridge West Oakland Housing, Inc., began a \$1.2 million project to install network computers

Related Fields

Organizations and Agencies Working in Related Fields

American Library Association

50 E. Huron
Chicago, IL 60611
Tel: 312.944.6750 or 280.2163
Fax: 312.944.6750 or 280.3257
ala@ala.org
www.ala.org

and

ALA Office for Information Technology Policy

1301 Pennsylvania Avenue, NW, Suite 403
Washington, DC 20004
Tel: 202.628.8410 or 800.545.2433
www.ala.org/oitp

Created in 1876, American Library Association members include school, public, academic, and research libraries, professional librarians, and individuals from across the country. ALA works "for the development, promotion, and improvement of library and information services and the profession of librarianship in order to enhance learning and ensure access to information for all." In Washington, ALA has an office for Information Technology Policy which focuses on issues of telecommunications policy that affect libraries and library patrons, including universal service and first amendment issues.

Benton Foundation

Communications Policy & Practice
1634 Eye Street, NW
Washington, DC 20006
Tel: 202.638.5770
cpp@benton.org
www.benton.org

The Benton Foundation's Communications Policy & Practice Program promotes public interest values and noncommercial services for the National Information Infrastructure through research, policy analysis, print, video and online publishing, and outreach to non-profits and foundations. Its website contains updates on communications policy and upcoming events; a forum for discussion; publications such as bulletins, policy briefings, and working papers; and links to hundreds of online communications and public interest resources.

Center for Media Education (CME)

Jeffrey Chester, Executive Director
1511 K Street, NW, Suite 518
Washington, DC 20005
Tel: 202.628.2620 / Fax: 202.628.2554
cme@cme.org
www.cme.org

CME studies and advocates for the development of public interest telecommunications policy. It focuses primarily on children's needs in the nation's media environment. CME works with national and state advocates from the library, education, and media community to provide increased access for at-risk children and their families. Its 1997 report, "Connecting Children to the Future: A Telecommunications Policy Guide for Child Advocates," helps child advocates understand the importance of promoting state and federal policies that support equitable access to and

use of new information technologies, and the linkages between issues they care about and the developing information infrastructure.

Department of Housing and Urban Development (HUD)

451 Seventh Street, SW
Washington, DC 20410
www.hud.gov

The Department of Housing and Urban Development is the Federal agency responsible for national policy and programs that address America's housing needs, that improve and develop the nation's communities, and enforce fair housing laws. One of their many programs, Neighborhood Networks, encourages property owners, managers, and residents of HUD-insured and -assisted housing to form teams to develop computer centers where residents can learn job skills and become more economically self-reliant.

Federal Communications Commission (FCC)

1919 M Street, NW
Washington, DC 20554
Tel: 202.418.0200
www.fcc.gov

The FCC is an independent government agency responsible for regulating interstate and international communications by radio, television, wire, satellite, and cable. It also maintains an extensive website with universal service proposals, calendars for hearings and decisions on regulations, and instructions for how to file comments in FCC proceedings. The site also has data on phone subscriber-ship and policies to make phone service more affordable.

National Community Building Network

672 13th Street
Oakland, CA 94612
Tel: 510.893.2404 / Fax: 510.893.6657
network@ncbn.org
www.ncbn.org

The National Community Building Network is an alliance of locally driven urban initiatives working to reduce poverty and create social and economic opportunity through comprehensive community-building strategies, including their publication, "Community Builders Guide To Telecommunications Technology." Their website provides daily headlines and policy updates of particular concern to those working to improve their communities.

National Consumer Law Center

18 Tremont Street, Suite 400
Boston, MA 02108
Tel: 617.523.8010 / Fax: 617.523.7398
consumerlaw@nclc.org
www.consumerlaw.org

The National Urban Law Center provides support on issues involving consumer fraud, debt collection, consumer finance law, energy assistance programs, and sustainable home ownership programs. The Center addresses legal problems faced daily by low-income and financially distressed families ranging from repossessions, debt collection abuses, home improvement frauds, usury, and bankruptcy to utility terminations, fuel assistance benefit

programs, utility rate structures, and utility deregulation.

National Foundation for the Improvement of Education (NFIE)

Carol Edwards, Director of Programs
1201 16th Street, NW
Washington, DC 20036
Tel: 202.822.7840
www.nfie.org

Created in 1969 by the National Education Association, the NFIE provides grants and technical assistance to teachers, education support personnel, and higher education faculty and staff to improve student learning in the nation's public schools. NFIE is home to The Road Ahead program, a \$3 million program to support the use of communications technology in the classroom, funded by proceeds from Microsoft Chairman and CEO Bill Gates' book by the same name.

United States Department of Education

United States Department of Education
Technology Initiatives
www.ed.gov or www.ed.gov/Technology

The United States Department of Education website is a good source of information on Universal Service proposals, statistics on the percent of schools connected to the Internet, and examples of schools with comprehensive technology programs. The site also details the Administration's funding programs and policies on educational technology.

U.S. Office of Technology Assessment

Superintendent of Documents
Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7974
Tel: 202.512-1800 / Fax: 202.512-2250
www.gpo.gov/ota

The Office of Technology Assessment (OTA), which for 23 years had advised Congress on technology issues, closed its doors September 29, 1995 after the 104th Congress voted to withdraw funding. Its website, which contains a number of dated but still excellent reports, can now be found at Princeton University's Woodrow Wilson School (www.wws.princeton.edu:80/~ota). Printed copies of past OTA reports are available from the Superintendent of Documents at the Government Printing Office.

Urban Libraries Council

Joey Rodger, President
1603 Orrington Avenue, Suite 1080
Evanston IL 60201
Tel: 847.866.9999
www.clpgh.org/ulc

The Urban Libraries Council comprises over 100 large public libraries and the corporations that work with them. Its members serve more than half the public library patrons in the country. Among its focal areas are promoting urban libraries as urban assets and supporting their members' efforts to serve urban youth.

COMMUNITIES

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As we move forward, I ask that you remember the 1992 UN report and the key issues of our time; those issues are here to stay, and soon no one will be able to ignore them. Remember that the purpose of corporations is to make money for shareholders, though money is so temporary. Remember why we like our communities. It has nothing to do with the Russian economy, Bill Clinton's personal life or a big storm 5,000 miles away.

We like our communities because we like our families, neighbors and friends. These are the people who create, appear on and watch or listen to community media. Media shapes culture. I'd prefer to see my friends and neighbors using community media to shape our culture and communities rather than to abandon that role exclusively to corporate marketers.

How fortunate I feel to work with the good people of my community in providing non-commercial, community-based media! And how fortunate I feel to work with the good people of the Alliance to preserve the rights of our communities to maintain this valuable public space!

RESOURCES

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(NCs) in each of the 206 apartments currently being renovated. The project stems from a 1997 city policy to make it easier for public housing residents to learn critical job skills, and which required future public housing units be equipped with computers. The system is expected to be completed early in 1999. IBM will be designing and supplying the educational content. Articles and further information may be found at IBM (www.pc.ibm.com/networkstation/news/housing.html) and NC World (www.ncworldmag.com/ncworld/ncw-02-1998/ncw-02-ibmoakland.html), which promises to follow the project's progress.

Women's Economic Agenda Project (WEAP)

Ethel Long-Scott, Director
449 Fifteenth Street, 2nd floor
Oakland, CA 94612
Tel: 510.451.7379 / Fax: 510.968.8628
weap@sirius.com
www.sriconsulting.com/weap

WEAP's Computer and Telecommunications Skills Center (CTSC) provides access for small women, and minority-owned businesses to high-tech equipment and applications. The computer training program will offer basic, intermediate, and advanced computer training to prepare low-income women and minorities for good paying jobs and advancement to better positions.

Research Organizations:

Baruch College Harris Survey Unit

David Birdsell, Associate Professor
City University of New York
School of Public Affairs, F-2021
17 Lexington Avenue
New York, NY 10010
Voice: 212.802.5957 / Fax: 212.802.5968
David_Birdsell@baruch.cuny.edu
www.baruch.cuny.edu

The Baruch College Survey Unit is a multidisciplinary team of scholars and practitioners at the School of Public Affairs. Since its inception in January 1994, the Unit has asked timely questions and supplied timely answers to government, nonprofit, and business policymakers with detailed opinion research and technical analysis and advice on a broad range of programmatic and policy concerns.

Computer Intelligence

(formerly ZD Market Intelligence)
Ziff Davis, Inc.
3344 N. Torrey Pines Court
La Jolla, CA 92037
Tel: 619.450.1667 / Fax: 619.452.6857
www.ci.zd.com

Computer Intelligence is a source of fact-based information on computer and communications industry trends, product developments, and buyer activity.

Economic Policy Institute

PO Box 383080
Cambridge, MA 02238
Tel: 617.547.2950
query@epn.org
www.epinet.org

The Economic Policy Institute is a nonprofit, nonpartisan think tank that publishes reports to broaden the public debate about strategies to achieve a prosperous and fair economy.

Educational Development Center (EDC)/ Center for Children and Technology (CCT)

96 Morton Street
New York, NY 10014
Tel: 212.807.4200 / Fax: 212.633.8804
www.edc.org

EDC conducts research on how different groups in society perceive and use technology. One of its projects, "Access By Design," develops approaches to increase access for under-represented groups, proposes ways to make technology more inclusive, and crafts a national agenda to promote equity and diversity in technology policy and practice. This project is a collaboration between EDC's CCT and the American Association for the Advancement of Science (AAAS).

Educational Testing Service

Rosedale Road
Mailstop 04-R
Princeton, NJ 08541
Tel: 609.921.9000 / Fax: 609.734.5410
etsinfo@ets.org
www.ets.org

In addition to being the source of all those educational tests we had to take in school (SAT, AP, GRE, ad infinitum), ETS also conducts research about trends in education, including education technology.

National Center for Education Statistics (NCES)

www.nces.ed.gov

NCES is the arm of the U.S. Department of Education that collects statistics and publishes reports about the state of U.S. education. The website is an excellent resource for current data about technology use in schools and related demographics.

Nielsen Media Research

299 Park Avenue
New York, NY 10017
Tel: 212.708.7500 / Fax: 212.708.7795
www.nielsenmedia.com

Nielsen Media Research conducts research and publishes statistics and demographics about computer ownership and Internet access and usage, including their Fall 1997 CommerceNet/Nielsen Media Research Landmark Internet Demographics Study (see the previously listed "Surveys and Statistics,").

Pew Research Center for the People and the Press

1150 18th Street, NW, Suite 975
Washington, DC 20036
Tel: 202.293.3126
www.people-press.org

Originally a project of Times Mirror (1990-1995) and now sponsored by the Pew Charitable Trusts, the Center conducts public opinion research pertaining to media and public policy.

Project 2000

Thomas P. Novak
Donna L. Hoffman
Vanderbilt University
Nashville, TN 37203
www.2000.ogsm.vanderbilt.edu

Project 2000 is a research center at Vanderbilt University devoted to studying the commercialization of emerging media.

Quality Education Data (QED)

1700 Lincoln Street, Suite 3600
Denver, CO 80203
Tel: 800.525.5811 / Fax: 303.860.0238
www.qeddata.com

While focused on helping corporations better understand the education market, this research company's data is very revealing, especially in terms of how much money schools spend on technology.

Thomas Rivera Policy Institute

241 East Eleventh Street
Steele Hall, Third Floor
Scripps College
Claremont, CA 91711-6194
Tel: 909.621.8897 / Fax: 909.621.8898
trc@cgs.edu
www.cgs.edu/inst/trc.html

The Institute conducts research and publishes reports about issues concerning the nation's Latino communities, including studies about computer ownership and Internet access by Hispanics.

*Do all human beings have the right to see, to hear,
to speak, to communicate and to access information
regardless of their life circumstances, their
political or religious beliefs or their ability to pay?
We say 'Yes!' If you agree with us, join...*

The Campaign for Media Democracy

What you can do:

- ☐ *Sign the Petition in Support of Media Democracy*
- ☐ *Support the Public Policy program of the Alliance —
become a Public Policy Affiliate or Council member*
- ☐ *Write, call or visit your governmental representatives*
- ☐ *Write letters to the editor in support of media access or call in
to a radio talk show and talk about the importance of media democracy*
- ☐ *Talk to your friends about the issue — speak to community groups
or invite someone to speak to your group about media democracy*
- ☐ *Join an Alliance Chapter — Attend a Regional Conference
— Become active in your Alliance!*



Alliance for Community Media
666 11th Street NW, Suite 806
Washington DC 20001-4542
202-393-2650 voice / 202-393-2653 fax
www.alliancecm.org

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Contact Dana Rouse at 1.800.228.8030 ext. 4 or channel@learner.org

www.learner.org/channel

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